

ANNO TRICESIMO TERTIO

Georgii III. Regis.

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Preamble.



11 *Geo.* III, Cap. 29, recited.

WHEREAS by an Act of Parliament, made and passed in the Eleventh Year of the Reign of His present Majesty, intituled, An Act for consolidating, extending, and rendering more effectual, the Powers granted by several Acts of Parliament, for making, enlarging, amending, and cleansing the Vaults, Drains, and Sewers, within the City of *London*, and Liberties thereof; and for paving, cleansing, and lighting the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, and preventing and removing Obstructions and Annoyances within the same, the sole Power of ordering, designing, making, enlarging, widening, deepening, raising, altering, removing, repairing, cleansing, and scowering of all Common Sewers, Drains and Vaults, and of paving, cleansing, and lighting the several Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, within the said City of London, and the Liberties thereof, were vested in the Mayor and Commonalty, and Citizens of the said City, to be executed by such Persons as by the Mayor, Aldermen, and Commons of the said City, in Common Council assembled, should from Time to Time be nominated, and under the Common Seal of the said Mayor and Commonalty and Citizens, be appointed for that Purpose, which said Persons, so from Time to Time to be nominated and appointed, together with the Recorder and Common Serjeant of the said City for the Time being, were thereby constituted Commissioners for carrying the said recited Act into Execution; and certain Powers and Authorities were vested in the said Commissioners, thereby directed to be and thereby appointed: And whereas the Powers granted by the said recited Act have been found of great publick Utility; but the good Purposes thereby intended cannot be effectually answered, unless the said Act is explained and amended, and other Powers granted: And whereas by the said recited Act every Commissioner to be appointed in pursuance thereof is

to have Notice to attend at every publick Meeting of the said Commissioners, by Summons from the Clerk to the said Commissioners for the Time being, but many of the said Commissioners have not, and others may not have any Place of Residence within the said City, or the Liberties thereof, and others live, or may hereafter live, at too great a Distance for such Summons to be served upon them, without great Inconvenience and Difficulty: 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, every such Commissioner, so residing at any Place not within the said City or Liberties, shall from Time to Time leave Notice with the principal Clerk to the said Commissioners, at his Office in Guildhall, of some certain Place, within the said City or Liberties, where such Summons may from Time to Time be left for such Commissioner, at which Place it is hereby required such Summons shall be left, and not elsewhere, and the leaving of such Summons shall be and is hereby deemed and declared to be a good and sufficient Summons, any Thing in the said Act contained to the contrary thereof in anywise notwithstanding.

Commissioners not residing within the City or Liberties, to leave with the principal Clerk a Notice of some Place within the same where the Summons may be left.

II. And be it further enacted, That no Person or Persons shall, without Licence or Authority from the said Commissioners, alter or cause to be altered the Form of the Pavement, or any Part thereof, of any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, which, under and by virtue of the said recited Act and this present Act, are or shall be under the Management of the said Commissioners, or in any Way incroach thereupon, or break up the Pavement of the Foot or Carriage Ways of any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, without Leave of the said Commissioners, except for the Purpose of taking up, laying down, or repairing any Water-Pipe or Water Pipes under the same, upon Pain

For preventing Alterations in the Form of the Streets.

that every Person so offending shall for every such Offence forfeit and pay the Sum of Five Pounds, over and above the Expence of relaying and reinstating the same, according to the Orders and Directions of the said Commissioners in that Behalf (and which Orders and Directions they are hereby fully authorized to give), the said Penalty, Forfeiture, and Expences to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster, or within the City of London, in the Name of the principal Clerk to the said Commissioners for the Time being, to be commenced within Six Calendar Months next after the Commission of such Offence; in which Action or Suit no Protection, Privilege, Essoin, or Wager of Law, nor more than One Imparlance, shall be allowed.

For preventing Bars, Chains, and other Obstructions being placed across the Streets, &c.

III. And be it further enacted, That no Person or Persons shall, without Licence or Authority from the said Commissioners, fix or place, or cause to be fixed or placed, any Bar or Bars, Chain or Chains, Post or Posts, or other permanent Obstruction, across or in any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, which by virtue of the said recited Act are or shall be under the Management of the said Commissioners, so as in anywise to prevent, obstruct, straiten, or render less convenient the passing and repassing of Carriages, Horses, or Foot Passengers, upon Pain that every Person so offending shall for every such Offence forfeit and pay the Sum of Five Pounds, over and above the Expence of taking down and removing such Bar or Bars, Chain or Chains, Post or Posts, or other Obstruction, according to the Direction of the said Commissioners in that Behalf, who are hereby fully authorized to order and cause the same to be taken down and removed forthwith, by the Person or Persons so offending, or by such other Person or Persons as they the said Commissioners shall authorize and direct; the last-mentioned Forfeiture and Expences to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster, or within the City of London, in the Name of the principal Clerk for the

Time being to the said Commissioners, to be commenced within Six Calendar Months next after the committing of such Offence; in which Action or Suit no Protection, Privilege, Essoin, or Wager of Law, nor more than One Imparlance, shall be allowed.

For preventing Ashes, &c. from being taken from any House, &c. by any Person but the Contractor for cleansing.

IV. And be it further enacted, That if any Person or Persons, other than the Person or Persons contracting with the said Commissioners for cleansing the said City or Liberties, or any Part or Parts thereof, or those employed under such Contractor or Contractors, shall, on any Account or Pretence whatever, go about for the Purpose of collecting or gathering, or shall collect or gather, or shall ask for, receive, or carry away, any Dust, Dirt, Cinders, or Ashes, from any House, Outhouse, Shop, or Warehouse, or other Premises in or out of or from any of the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places under the Management of the said Commissioners, it shall and may be lawful for any Person or Persons who shall see such Offence committed to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, together with the Horse or Horses, or other Beast or Beasts, Cart or Carts, Wheelbarrow or Wheelbarrows, or other Carriage or Carriages, or other Implement or Implements, made use of for carrying away the same, and he, she, and they is and are hereby required so to do, and by the Authority of this Act, and without any other Warrant, to convey and deliver such Offender or Offenders into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said City, and such Justice shall and is hereby authorized and required to examine upon Oath (or if he, she, or they shall be a Quaker or Quakers, then upon his, her, or their solemn Affirmation, which Oath or Affirmation such Justice is hereby impowered to administer) the Person or Persons apprehending such Offender or Offenders, and any Witness or Witnesses who shall appear to give Information touching such Offence, and if the Party or Parties shall be convicted of any such Offence, he, she, or they shall for every such Offence

forfeit

forfeit and pay any Sum not exceeding Forty Shillings, nor less than Twenty Shillings, and One Moiety of every such Penalty or Forfeiture shall be paid to the Person or Persons who shall apprehend, seize, and take the Offender or Offenders, or such Horse or Horses, Beast or Beasts, and other Thing or Things as aforesaid, and the other Moiety into the Chamber of the said City, and applied to the Purposes of the said recited or this Act; and if such Offender or Offenders shall not immediately on Conviction pay the said Forfeiture, such Justice is hereby required to direct such Horse or Horses, or other Beast or Beasts, Cart or Carts, Wheelbarrow or Wheelbarrows, or other Carriage or Carriages, or Implement or Implements, which shall have been so seized (and which the Person or Persons seizing or assisting in seizing, shall and may, and is and are hereby required to drive, remove, and take, or cause the same to be driven, removed, and taken to the Green Yard of the said City), to be appraised and sold, and after deducting out of the Monies to arise by such Sale the Forfeiture incurred, together with the Charges and Expences attending the removing, detaining, keeping, and maintaining the same, and after such Appraisement and Sale, the Overplus thereof shall be returned, upon Demand, to the Party or Parties whose Horse or Horses, Beast or Beasts, or such other Thing or Things as aforesaid, shall be appraised and sold; and in case there shall have been no such Seizure as aforesaid, or if the Horse or Horses, Beast or Beasts, or such other Thing or Things as aforesaid, which shall be so appraised and sold, shall not produce a sufficient Sum of Money to pay the said Penalty or Forfeiture, Charges and Expences, then, if such Offender or Offenders shall not immediately upon Conviction pay the Whole of the said Penalty or Forfeiture, or so much of the said Forfeiture, Charges, and Expences, which shall remain over and above the Produce of the Sale of the Horse or Horses, Beast or Beasts, Thing or Things sold, after deducting the Costs and Charges of such Appraisement and Sale, then such Justice may and is hereby authorized and required to commit such Offender or Offenders to One of

the Compters, or to the Bridewell of the said City, there to be kept to Hard Labour for any Time not exceeding Two Calendar Months, nor less than One Calendar Month, to be computed from the Day of Commitment, unless such Penalty or Forfeiture, Charges and Expences, be sooner paid and satisfied.

V. Provided nevertheless, That nothing in this Act contained shall extend to prevent or hinder the Owner or Owners of such Dust, Dirt, Cinders, or Ashes, from carrying away the same for his, her, or their own Use, to be applied to any Manufacture of such Owner or Owners, or to the manuring of any Ground occupied by him, her, or them, but not for Sale. Owners of Dust, &c. may remove it for their own Use.

VI. And be it further enacted, That if the Person or Persons who shall so go about for the Purpose of collecting or gathering, or shall collect or gather, or shall ask for, receive, or carry away any such Dust, Dirt, Cinders, or Ashes, contrary to the Direction of this Act, cannot be apprehended, then and in every such Case the Owner or Owners of the Horse or Horses, or other Beast or Beasts, Cart or Carts, Wheelbarrow or Wheelbarrows, or other Carriage or Carriages, or Implement or Implements, used or employed in carrying away the same, shall be subject to the like Penalty or Forfeiture, and which Penalty or Forfeiture shall be recovered and levied by such Distress and Sale, and divided and disposed of in such and the like Manner as last mentioned and directed; and if the Monies to arise by such Distress and Sale shall not be sufficient to answer and satisfy such Penalty or Forfeiture, Charges and Expences, or if no such Distress can be made, such Justice is hereby authorized and required to commit him, her, or them, to One of the Compters, or to the Bridewell of the said City, for any Time not exceeding Two Calendar Months, nor less than One Calendar Month, unless such Penalty or Forfeiture shall be sooner paid. If the Person taking away the Ashes cannot be apprehended, the Owner of the Horses, &c. to be subject to the Penalty.

VII. 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, or the said recited Act, or any Person or Persons liable to pay any Rate or Impowering the Collectors to distrain, in case of Non-payment of Rates.

Rates, Assessment or Assessments, made by virtue or in pursuance thereof, shall by the Space of Seven Days next after his, her, or their respective Rate or Rates, Assessment or Assessments, shall be due and demanded by the Collector or Collectors authorized and appointed to collect and receive the same (such Demand being either personally made on the respective Person or Persons so charged with or liable to pay the same, or left in Writing at his, her, or their respective House or Houses, Place or Places of Abode) shall refuse or neglect to pay the said Rate or Assessment, Rates or Assessments, then and in every such Case it shall and may be lawful to and for such Collector or Collectors, every or any or either of them, having a Warrant or Warrants under the Hands and Seals of any Three or more of the said Commissioners (which Warrant or Warrants the said Collector and Collectors is and are hereby required to apply for, and the said Commissioners, or any Three or more of them, are hereby authorized and required to grant), and with the Assistance of a Constable, or other Peace Officer of the Ward, County, City, or Liberty where the Person or Persons so refusing or neglecting shall reside, to enter his, her, or their House or Houses, Apartment or Apartments, and then and there to seize and 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 appraise and sell 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) on Demand, to the Owner or Owners of such Goods and Chattels, the said Costs and Charges to be settled and allowed by the said Commissioners, or any Three or more of them.

For assessing Houses let out in Lodgings.

VIII. And whereas many Houses in several of the Wards of the said City are by the several Landlords or Owners thereof let out in Lodgings or Tenements to divers Tenants, by which Means the Payment of the said Rates for such Houses, Tenements, and Buildings may be

be evaded: For Remedy whereof, be it further enacted, That, from and after the passing of this Act, it shall and may be lawful to and for the Alderman of each respective Ward within the said City, or his Deputy, with the major Part of the Common Councilmen of the said Ward, at the Times the said Commissioners shall direct, to rate and assess in every such Rate or Assessment either the Owners or Occupiers of such Houses or Tenements respectively as for the preceding Year were actually let or assessed towards the Land Tax, at a less Rent than Six Pounds per Annum, or occupied by Two or more Tenants, or any such Occupier or Occupiers, where any such House or Tenement is occupied by more than One, which Rates or Assessments shall be paid by the respective Occupiers of such Houses or Tenements, or of any Part or Parts thereof respectively, or some or One of them; and the Occupier or Occupiers of whom the same shall be demanded is and are hereby authorized and required to pay such Sum and Sums of Money as shall be so rated or assessed, so as such Rates or Assessments do not exceed the Rent due and payable by him, her, or them, and to deduct the same out of his, her, or their Rent or respective Rents; and the Landlord and Landlords, or Owner or Owners of such Houses or Tenements, is and are hereby required, from Time to Time, to allow such Deductions and Payments, upon the Receipt of the Residue of his, her, or their Rent or Rents, and every such Occupier paying such Assessment or Assessments shall be acquitted and discharged for so much of his or her respective Rents as the said Assessment or Assessments so paid by him, her, or them respectively shall amount unto, in like Manner as if the same had been actually paid to the Person or Persons to whom such Rent or Rents shall be due and payable; and in Default of Payment of the said Rate or Rates, Assessment or Assessments, by the Space of Seven Days next after the same shall be due, and be demanded in Manner as aforesaid, the same shall and may be recovered of and from the Occupier or Occupiers, or any of them, of such Houses or Tenemeets respectively, or any Part or Parts thereof, by Distress and Sale of

his, her, or their respective Goods and Chattels, to be made in such Manner as aforesaid.

The Landlords to be answerable for the Deficiency of the Distress.

IX. Provided always, and it is hereby further enacted, That if the Monies to arise by such Distress and Sale shall not be sufficient fully to pay and satisfy such Rate or Rates, Assessment or Assessments, together with the Costs, Charges, and Expences attending such Distress and Sale, or Distresses and Sales, then and so often, and in every such Case, so much of the said Rate or Rates, Assessment or Assessments, Costs and Charges, as shall remain unsatisfied, shall and may be sued for and recovered of and from the Landlord or Landlords, or Owner or Owners thereof respectively, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminister, or within the said City of London, to be commenced and prosecuted by the said Commissioners, in the Name of their principal Clerk for the Time being; in which Action or Suit no Protection, Privilege, Essoin, or Wager of Law, nor more than One Imparlance, shall be allowed.

Butchers not to hang Meat beyond the Story Posts of their Shops, &c.

X. And be it further enacted, That no Butcher or Butchers, or other Person or Persons dealing in Meat, occupying any House or Houses, or Shop or Shops, within the said City, or the Liberties thereof (the publick Markets, and the South Side of Aldgate High Street, only excepted) shall hang out any Meat or Offal, or permit or suffer any Meat or Offal to be hung out beyond the Story Posts of such his, her, or their House or Shop, or respective Houses or Shops, or shall throw or convey, or cause, or permit or suffer any Blood to be thrown or conveyed, or to run from his, her, or their Slaughter House, Shop, or Premisses, into any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, within the said City, or the Liberties thereof, on Pain of forfeiting for every such Offence the Sum of Twenty Shillings.

Drivers of Carts, &c. to lead the Shaft Horse.

XI. And be it hereby further enacted, That the Driver of every Waggon, Cart, Dray, Caravan, Sledge, or Truck (except in Cases of Horses going abreast, and of Carts drawn by One Horse only, guided with Leather

Reins of sufficient Length by the Driver sitting in or upon such Cart, which shall be drawn within the said City, or the Liberties thereof) shall hold in his or her Hand a Rope, Strap, or Thong of Leather, of sufficient Strength, not exceeding Four Feet in Length, affixed to the Bit of the Bridle, or Headstall of the Halter of the Horse, Mare, Gelding, Mule, or Ass within the Shafts of or next to such Waggon, Cart, Dray, Caravan, Sledge, or Truck; and in case any Person shall drive any Waggon, Cart, Dray, Caravan, Sledge, or Truck, within the said City or the Liberties thereof (except as before excepted), without holding in his Hand a Rope, Strap, or Thong of Leather, of sufficient Strength, not exceeding Four Feet in Length, affixed to the Bit of the Bridle, or Headstall of the Halter of the Horse, Mare, Gelding, Mule, or Ass within the Shafts of or next to such Waggon, Cart, Dray, Caravan, Sledge, or Truck, then and in every such Case it shall and may be lawful to and for any Person or Persons to seize, or assist in seizing such Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey or 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 of the said City, and the Party or Parties accused being brought before him, such Justice shall proceed to examine upon Oath (or Affirmation in the Case of a Quaker) any Witness or Witnesses who shall appear or be produced to give Information touching such Offence (which Oath or Affirmation the said Justice is hereby authorized and required to administer); and if the Party or Parties accused shall be convicted of any such Offence, either by his, her, or their own Confession, or upon such Information as aforesaid, he, she, or they so convicted shall forfeit and pay the Sum of Five Shillings for the First Offence, the Sum of Ten Shillings for the Second Offence, and the Sum of Twenty Shillings for the Third and every subsequent Offence.

Commissioners may compel Persons to attend their Summons.

XII. And be it further enacted, That the said Commissioners, at any of their publick Meetings, shall have full Power and Authority to summon or require any

Person or Persons, against whom Complaint shall be made to them, touching any Offence or Offences to be committed against the said recited Act, or against this present Act, to attend them the said Commissioners, in order to be examined concerning such Offence or Offences, and otherwise dealt with pursuant to the said Acts, or either of them, as the Case may require; and that if any Person or Persons, against whom any such Complaint shall be made, shall after Five Days Notice for that Purpose served upon him, her, or them, in and by such Summons, refuse or neglect to attend the said Commissioners at the Time and Place for which he, she, or they shall in such Summons have Notice to attend, every such Person or Persons so offending, by neglecting to attend such Summons, shall upon the Oath of any One or more credible Witness or Witnesses (or if such Witness or Witnesses shall be a Quaker or Quakers, then upon his, her, or their solemn Affirmation, which Oath or Affirmation any Seven or more of the said Commissioners are hereby authorized and required to administer) forfeit and pay the Sum of Twenty Shillings.

For compelling Attendance of Witnesses.

XIII. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before any Justice of the Peace, touching any Matter contained in any Information or Complaint for any Offence against this Act, or the said recited Act, either on the Part of the Prosecutor, or of the Person or Persons accused, or if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence upon any Appeal, or any Adjournment thereof, by virtue of this Act, or the said recited Act, either on the Part of the Appellant or Respondent, and any such Person or Persons respectively shall refuse or neglect to appear from Time to Time, at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined upon Oath, (or in case of a Quaker or Quakers, on solemn Affirmation, which Oath or Affirmation such Justice is hereby authorized and required to administer), and to give Evidence

before

before such Justice of the Peace, or upon such Appeal, or any Adjournment thereof, then and in either of the said Cases every such Person shall forfeit and pay, for every such Offence, the Sum of Twenty Shillings.

Directing the Manner of serving Notices.

XIV. And be it further enacted and declared, That in all Cases of Notices and Summonses directed or required to be given or served by this Act, or the said recited Act (except in the Case of Summonses for the Meeting of the said Commissioners) which shall or may be necessary for carrying into Execution any of the Powers of this Act, or the said recited Act, the Services of any such Notices or Summonses, either on the Person to whom the same ought to be given, or leaving the same, or a true Copy thereof, at his or her Dwelling House, or usual or last Place of his or her Abode, shall be a good and sufficient Service of any and every such Notices or Summonses; and that in all Cases whatsoever, where any such Notices or Summonses ought to be given to Two or more Persons for or respecting the joint Act or Omission of any such Person or Persons, whether the said Person or Persons be in Partnership in Trade, or otherwise jointly concerned in any such Act or Omission, the like Service of any such Notices or Summonses on any One of such Partner or Partners, or Person or Persons, shall be also a good and sufficient Service thereof.

For regulating the Stand of Coaches on the South Side of *Saint Paul's Church Yard.*

XV. Whereas by the said recited Act, the Number of Hackney Coaches allowed to ply for Hire in certain Streets or Places within the said City or Liberties, were in several Instances limited, and their Distances one from the other, when so plying, were regulated and settled: And whereas it would be very convenient and beneficial to the Publick, if the Number of Hackney Coaches which are allowed to ply for Hire on the South Side of Saint Paul's Church Yard, near the West End thereof, were also to be limited, and their Distances one from the other, when so plying, regulated and settled; be it therefore enacted, That, from and after the Twenty-fourth Day of June One thousand seven hundred and ninety-three, not more than Two Coaches at the same Time shall stand or ply for Hire at or near the West

Gate of Saint Paul's Church Yard; and that the First of the said Coaches shall stand as near as may be to the South Side of the said West Gate, and to the Rails of the said Church Yard, but not before the said Gate, or any Part thereof, and the other close behind the said First Coach, and that not more than Two Coaches shall stand or ply for Hire at the same Time, immediately Westward of the Gate of the said Church Yard, commonly called The Dean's Gate, and that One of the said last-mentioned Coaches shall stand as near as may be to the West Side of the said Gate, called The Dean's Gate, but not before the same, or any Part thereof, and the other close before the said last-mentioned Coach, and that both the said last-mentioned Coaches shall stand as near as may be to the Rails of the said Church Yard, upon Pain that the Owner or Driver of every Hackney Coach which shall stand or ply for Hire in any of the said Places where the Number of Hackney Coaches is hereby limited, after the Number of Coaches so respectively limited shall be standing or plying therein, shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings, to be levied and recovered by such Ways and Methods as by the several Acts of Parliament now in Force concerning Hackney Coaches, or by this present Act, or any of them, are directed; and such Penalties, when recovered, shall be applied to and for the Purposes of the said recited Act and this Act.

For enforcing the Appearance of Masters and Drivers of Hackney Coaches.

XVI. And whereas, from the Want of Power in the Magistrates of the City of London to enforce the Appearance of Masters, Mistresses, or Drivers of Hackney Coaches, residing out of the Jurisdiction of the same Magistrates, to answer Complaints for Offences committed by such Masters, Mistresses, or Drivers, within the said City and Liberties, many of such Offenders against the said recited Act cannot be punished by virtue thereof, such Offences being cognizable by the said Magistrates only; for Remedy whereof, be it further enacted by the Authority aforesaid, That in case, and when and so often as any Complaint shall be made to any Justice of the Peace of the said City, touching any Of-

fence or Offences punishable by or under the said recited Act, or by or under this present Act, by any Person or Persons, being the Master, Mistress, or Driver, or Masters, Mistresses, or Drivers of any Hackney Coach or Hackney Coaches, residing at any Place or Places out of the said City, or the Liberties thereof, it shall and may be lawful for such Justice to issue a Summons, under his Hand, requiring such Person or Persons against whom any such Complaint shall be made, to attend such Justice at such Time and Place within the said City or Liberties, as such Justice shall appoint, in order to answer such Complaint; and that if any such Person or Persons, being such Master, Mistress, or Driver, or Masters, Mistresses, or Drivers, and residing as aforesaid, and against whom any such Complaint shall be made, shall, after Three Days Notice to attend as aforesaid, served upon him, her, or them, in and by such Summons as last-mentioned, or left at his or her last or usual Place of Abode, it shall and may be lawful for such Justice, upon the Appearance of any such Offender or Offenders, to hear and determine the Matter of Complaint, and to convict or acquit him, her, or them; but if such Offender or Offenders shall refuse or neglect to attend such Justice, at the Time and Place for which he, she, or they shall in such Summons have Notice to attend, it shall and may be lawful for such Justice to issue a Warrant or Warrants, under his Hand and Seal, for the apprehending and bringing before him the said Justice, or any other Justice of the Peace for the said City, the Person or Persons who shall have so refused or neglected to appear upon such Summons, provided that such Warrant or Warrants be first backed or countersigned by some Magistrate of the County, City, or Liberty wherein such Offender may reside or be found, which Warrant or Warrants any such Magistrate who shall be applied to for that Purpose shall, and he is hereby required and directed to back or countersign accordingly; and it shall and may be lawful for such Justice, upon the Appearance before him of such Person or Persons so complained of, being a Master, Mistress, or Driver, or Masters, Mis-

treſſes, or Drivers of any Hackney Coach or Hackney Coaches, and reſiding as aforeſaid, to hear and determine the Matter of Complaint, and to convict or acquit the ſame Perſon or Perſons of the Offence or Offences ſo complained of, and every ſuch Conviction, either upon the Appearance of ſuch Offender or Offenders in purſuance of the ſaid Summons, or being brought before ſuch Juſtice by ſuch Warrant or Warrants, ſhall be as valid and effectual in the Law, to all Intents and Purpoſes, as if ſuch Perſon or Perſons had reſided within the City of London, or the Liberties thereof; and in caſe the Perſon or Perſons ſo convicted ſhall not forthwith pay and ſatisfy the Penalty or Forfeiture directed to be paid for the Offence of which he, ſhe, or they ſhall be ſo convicted by the before recited Act, or this preſent Act, it ſhall and may be lawful for ſuch Juſtice to commit ſuch Offender or Offenders to One of the Compters, or to the Bridewell of the ſaid City, there to remain, without Bail or Mainprize, for any Time not exceeding Twenty Days, unleſs ſuch Penalty ſhall be ſooner paid and ſatisfied.

Method of recovering Penalties.

XVII. And be it further enacted, That all Penalties and Forfeitures by the ſaid recited Act, or this preſent Act, inflicted or authorized to be 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 or Warrants under the Hand and Seal of any Juſtice of the Peace for the ſaid City, which Warrant or Warrants ſuch Juſtice is hereby impowered and required to grant, upon the Confeſſion of the Party or Parties, or upon the Evidence of any One or more credible Witneſs or Witneſſes upon Oath (or Affirmation in the Caſe of a Quaker), and the Informer is hereby rendered a competent Witneſs, and the Overplus (if any) of the Money ariſing by ſuch Diſtreſs and Sale ſhall be returned, upon Demand, to the Owner of ſuch Goods and Chattels, after deducting the Coſts and Charges attending ſuch Diſtreſs and Sale; and the Penalties and Forfeitures when recovered (if not herein-before directed to be otherwiſe applied) ſhall be paid into the Chamber of the ſaid

City, and be applied towards the Purposes of the said recited Act; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid forthwith, it shall and may be lawful for such Justice, and he is hereby authorised and required, by Warrant under his Hand and Seal, to cause the Offender or Offenders to be committed to One of the Compters, or to the Bridewell of the said City, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, nor less than One Calendar Month, unless such Penalties and Forfeitures, and all reasonable Charges attending the same, shall be sooner fully paid and satisfied.

Warrant of Distress to be backed.

XVIII. Provided always, That no such Distress shall by virtue of this Act be made, out of the Limits of the said City, and Liberties thereof, unless such Warrant or Warrants respectively shall be first backed or counterſigned by some Magistrate of the County, City, or Liberty where such Distress is proposed to be made, which Warrant or Warrants any such Magistrate who shall be applied to for that Purpose shall forthwith back or counterſign.

Penalties may be mitigated.

XIX. Provided also, and be it further enacted, That it shall be lawful for the Justice of the Peace before whom shall be recovered any of the Penalties or Forfeitures imposed by this Act, or the said recited Act, where no other Manner of Mitigation of any such Penalties or Forfeitures is hereby or by the said recited Act directed, to mitigate or lessen any of such Penalties or Forfeitures as he in his Discretion shall think fit, so as the same be not mitigated or reduced to less than One Moiety or Half Part thereof.

Penalty on Drivers of Waggons, &c. with Two or more Horses, or other Beasts of Draught, riding on either of such Horses.

XX. And whereas many Drivers of Waggons, Carts, Drays, Trucks, and Sledges, drawn by Two or more Horses, or other Beasts of Draught, make a Practice of riding on One of such Horses, or other Beasts, to the great Danger of the Publick; be it therefore further enacted, That, from and after the Twenty-fourth Day of June One thousand seven hundred and ninety-three, if any Driver of any Waggon, Cart, Dray, Truck, or Sledge, drawn by Two or more Horses, or other Beasts of

of Draught, within the said City or Liberties, shall sit or ride on either of such Horses or other Beasts, it shall and may be lawful to and for any Person or Persons whomsoever, who shall see such Offence committed, to seize, and also for any other Person or Persons to assist in seizing such Offender, and by the Authority of this Act, and without any other Warrant, to convey or deliver him into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace of the said City, and the Party accused being brought before him, such Justice shall proceed to examine, upon Oath, any Witness or Witnesses who shall appear or be produced to give Information touching such Offence, which Oath (or Affirmation, in the Case of a Quaker) the said Justice is hereby authorized and required to administer, and if the Party accused shall be convicted of any such Offence, either by his own Confession, or upon such Information as aforesaid, he shall forfeit and pay the Sum of Ten Shillings for the First Offence, the Sum of Twenty Shillings for the Second Offence, and the Sum of Forty Shillings for the Third and every other Offence, and upon Nonpayment of such Penalty, it shall and may be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender to be committed to One of the Compters, or to the Bridewell of the said City, there to remain without Bail or Mainprize, for any Time not exceeding Twenty Days, nor less than Seven Days, unless such Penalty shall be sooner paid and satisfied.

Penalty on Persons assaulting, &c. the Collectors, or other Officers.

XXI. And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, or molest any of the said Commissioners, or any Surveyor or Surveyors, or other Officer or Officers, Workmen, Person or Persons whomsoever, who shall be employed by virtue of this Act, in the Performance or Execution of their Duty, every such Person so offending shall for the First Offence forfeit and pay the Sum of Five Shillings, for the Second the Sum of Twenty Shillings, and for the Third and every other Offence the Sum of Five Pounds.

Penalty on Constables neglecting or refusing to assist, in case of any Distress being taken.

XXII. And be it further enacted, That in all Cases where a Distress is authorized to be made by the said recited or this Act, if any Constable of the Parish or Place where the same is to be made, upon being called upon by any Collector or Collectors, or any other Person (who shall have obtained such Warrant of Distress) shall neglect or refuse to aid and assist in making such Distress and Sale, such Constable shall for every such Offence forfeit and pay the Sum of Twenty Shillings.

Commissioners to be stiled Commissioners of Sewers of the City of *London, &c.*

XXIII. And be it further enacted, That the Commissioners appointed to put in Execution the said recited Act, and such Commissioners as shall hereafter be appointed to put the said Act, and the present Act, into Execution, shall be named and stiled Commissioners of Sewers of the City of London, and Liberties thereof.

Actions or Suits not to abate by the Death or Removal of the Clerk.

XXIV. And be it further enacted, That no Action or Suit to be commenced or prosecuted under the Authority of this present Act, or the said recited Act, in the Name of the principal Clerk to the said Commissioners for the Time being, shall abate or be discontinued by the Death or Removal of such Clerk, or by the Act of the said Clerk, without the Consent of the said Commissioners, but that such Clerk shall always be deemed Plaintiff or Defendant in such Action or Suit, as the Case may be: Provided always, That every such Clerk shall be reimbursed out of the Monies to be raised by virtue of this Act, all such Costs, Charges, and Expences as he shall be put unto or become chargeable with, by Reason of his being so made Plaintiff or Defendant.

Monies in the Hands of Collectors dying or becoming Bankrupts or Insolvent, how to be paid and recovered.

XXV. And be it further enacted, That if any such Collector or Collectors shall happen to die or become Bankrupt, or take the Benefit of any Insolvent Act, before he or they shall have fully paid and satisfied all the Monies by him or them received by virtue of the said recited Act, then and in every such Case the Executors or Administrators, or other legal Representative or Representatives, or Person or Persons possessing the Estate and Effects of every such Collector, or the Assignee or Assignees of every such Bankrupt or Insolvent, shall, out of the Estate and Effects of the Party so dying, becoming Bankrupt or Insolvent, pay into the Chamber of the

said City, all such Sums of Money as shall be in the Hands of such Person respectively at the Time of his or their Death, or at or after the Time of his becoming Bankrupt or Insolvent, and not paid over, or so much thereof as the Estate and Effects will extend to pay, in Preference to any other Creditor, and the Receipt or Receipts of the said Chamberlain shall be a good Discharge for the said Money, to the Person or Persons paying the same; and every Executor, Administrator, or Assignee, or such other Persons paying the same as aforesaid, may to any Action, Suit, or Prosecution commenced or brought against him, her, or them, plead and give in Evidence the Authority of this Act for such Payment, and shall be allowed the same prior to any Specialty, Judgement, or other Debt or Demand whatsoever; and in case of Nonpayment of the same by the Space of One Calendar Month after the same shall have been demanded by any Person or Persons to be authorized by the said Commissioners for that Purpose, it shall be lawful for the principal Clerk to the said Commissioners for the Time being, in his own Name to commence One or more Action or Actions, Suit or Suits, in any of His Majesty's Courts of Record at Westminster, against such Executors, Administrators, or Assigns, or other Person as aforesaid, for the Recovery of the same, in which Action no Essoin, Protection, or Wager at Law, nor more than One Imparlance, shall be allowed.

XXVI. And, for the more easy and speedy Conviction of Offenders against the said recited Act, and this present Act, be it further enacted, That all and every Justice and Justices before whom any Person or Persons shall be convicted of any Offence against the said recited Act, or this present Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or any other Form of Words to the same Effect; (that is to say);

Form of Conviction.

To wit. } BE it remembered, That on the Day of in the Year of the Reign of His Majesty King *A. B.* is [*or* are] convicted before me *C. D.* One of His Majesty's Justices of the Peace for the City of

of *London*, by virtue of an Act of Parliament made in the Thirty-third Year of the Reign of His Majesty King *George* the Third, intituled [*Here set forth the Title of the Act, and specify the Offence and Time and Place when and where the same was committed, as the Case shall be.*] Given under my Hand and Seal, the Day and Year above written.

Inhabitants may be Witnesses.

XXVII. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings, relating to or concerning the Execution of this present Act, or of the said recited Act, any Inhabitant within the said City or Liberties shall be a competent Witness, and be admitted to give Evidence, notwithstanding such Inhabitant is charged with or liable to pay any Rate by virtue of this Act, or the said recited Act.

Persons aggrieved may appeal to the General or Quarter Sessions.

XXVIII. And be it further enacted, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief is hereby appointed, such Person may, within Six Calendar Months after the Cause of Complaint shall have arisen, appeal to the Justices of Peace at their General or Quarter Sessions to be holden for the said City of London, such Appellant first giving, or causing to be given, Eight Days Notice at least, in Writing, of his or her Intention to exhibit such Appeal, and the Matter thereof, to the Clerk of the said Commissioners, and within Four Days after giving such Notice entering into a Recognizance before some Justice of the Peace for the said City, with Two sufficient Sureties, conditioned to try such Appeal at, and abide by the Order of, and pay such Costs as shall be awarded by, the Justices at such General or Quarter Sessions; and the said Justices at such Sessions, upon due Proof of such Notice being given, and of the entering into such Recognizance as aforesaid, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Party appealing, or appealed against, as they shall think proper, and the Determination of such Justices shall be binding, final,

final, and conclusive to all Intents and Purposes whatsoever.

Rates and Proceedings not to be quashed for Want of Form;

XXIX. And be it further enacted, That no Rate or Assessment, or any Proceeding to be had touching any Order made, or other Matter or Thing to be done or transacted in or relating to any Complaint, Conviction, or Appeal, or any Order or Determination thereon in pursuance of this Act, or the said recited Act, shall be quashed or vacated for Want of Form only, or be removed or removeable into any of His Majesty's Courts of Record at Westminster, by Certiorari, or by any other Writ or Process whatsoever; any Law, Statute, or Usage, to the contrary notwithstanding.

or removed by *Certiorari*.

Proceedings to be within Six Months.

XXX. Provided always, and be it further enacted, That no Person or Persons shall be subject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act, or the said recited Act, for any Offence or Offences against this Act, or the said recited Act, unless some Proceedings shall be had according to the Directions of this Act, respecting such Offence or Offences within Six Calendar Months next after the Offence committed.

Powers of former Act *extended* to this Act.

XXXI. And be it further enacted, That all and every the Provisions, Powers, Articles, Clauses, Impositions, and Distributions of Penalties and Forfeitures, and all other Matters and Things in the said recited Act enacted, contained, or prescribed, and not hereby varied or altered, or otherwise provided for, shall be and continue of full Force and Effect, and shall be likewise applied and extended to this Act, as fully and effectually, to all Intents and Purposes whatsoever, as if the same had severally and respectively been expressly repeated and re-enacted in the Body of this present Act.

Publick Act.

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

FINIS.