ANNO TRICESIMO TERTIO

# Georgii III. Regis.

## CAP. LXXXVIII.

An Act for paving and repairing certain Streets, Lanes, and other publick Paſſages and Places, in the Pariſh of *Saint Matthew Bethnal Green*, in the County of *Middleſex*; and for paving and regulating ſuch Parts of *Old Cock Lane* and *York Street*, as are in the Pariſh of *Saint Leonard Shoreditch*; and for removing Obſtructions and Annoyances therein.

[30th *April* 1793.]

WHEREAS the ſeveral Streets, Lanes, and other publick Paſſages and Places within the Pariſh of Saint Matthew Bethnal Green, and ſuch Parts of Old Cock Lane and York Street as are in the Pariſh of Saint Leonard Shoreditch, in the County of Middleſex, are extremely ill paved, and greatly obſtructed by Poſts and Bars, and annoyed by Signs, Spouts, Gutters, and other Encroachments Preamble.

troachments projecting into and over the same: And whereas the repairing and paving the said Streets, Lanes, and other publick Passages and Places, and removing Obstructions and Annoyances therein, and raising Money for defraying the Expence of making proper Drains, Channels, and Sewers, will be very advantageous to the Inhabitants of the said Parish, and of publick Utility; but the same cannot be done without the Aid of Parliament: And whereas an Act was made in the Twenty-ninth Year of the Reign of his late Majesty King George the Second, intituled, An Act for making and widening a Road from the East Side of the Parish of *Saint Matthew Bethnal Green*, in the County of *Middlesex*, to the East End of *Church Street* in the same Parish, and to open a Way or Road into *Shoreditch*, and keeping the same in Repair; and another Act was made in the Seventh Year of the Reign of his present Majesty King George the Third, intituled, An Act to enlarge the Term and Powers of the said Act of the Twenty-ninth of King *George* the Second, and for repairing, paving, and regulating *Old Cock Lane*, *New Cock Lane*, *Church Street*, and the Road on the West Side of the Opening into *Shoreditch*, and for removing of Nuisances and Obstructions therefrom, and preventing the same for the future: And whereas the said Lanes and Street, called Old Cock Lane, New Cock Lane, and Church Street, are great Thoroughfares, but the said Lane called Old Cock Lane is very incommodious to Passengers, and the said Lanes and Street are not well and sufficiently paved, by virtue of the above recited Acts; therefore it would be of publick Utility to have the same under the Directions of the Commissioners to be appointed by this Act: 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 so much of the said Acts of Parliament as relates to or concerns the rating, paving, and keeping in Repair the Pavements in Old Cock Lane, New Cock Lane, and Church Street, and all Contracts made and now subsisting for paving and keeping in Repair the said Pavements, shall be and the same are hereby repealed, and declared null and void.

Part of former Acts repealed.

II. And be it further enacted, That John Aldridge, George Byng, Thomas Berney Bramston, William Baker, John Bampton, Thomas Baldock, William Bull, Bartholomew Butterworth, Henry Bishop, James Ballard, Richard

Commissioners.

Byrchall, George Burchall, Robert Barclay, James Benſon, James Beuzeville, Joſiah Boydell, James Burton, Thomas Burnell, Edward Auguſtus Butcher, Sir Thomas Coxhead, Joſeph Cadogan, Henry Cothery, Iſaac Coſſon, Boniface Claiſſe, Iſaac Colnett, Thomas Tryon Cotton, John Chubb, Joſeph Dent, Rice Davies, John May Evans, Luke Flood, Thomas Thames Faux, John Gant, William Gray, Nicholas Gordelier, James Greene, William Gaſcoigne, William Gray, the Reverend Mr. Grant, John Horton, James Hopkins, John Holloway, William Howard, Thomas Howard, John Hands, William Horton, Sampſon Hanbury, Samuel Hawkins, Joſeph Hancock, the Reverend Doctor Hunter, Thomas Hindman, George Jackſon, Thomas Johnſon, James Jackſon, Matthew Kilner, Charles Luſh, Thomas Leachman, John Leveſque, Daniel Leveſque, James L'Homme, William Mainwaring, the Reverend John Moore, Joſeph Merceron, William Mildmay, William Martin, Daniel Martin, the Reverend Anthony Natt, James Norroway, William Plumer, Joſeph Philpot, Joſeph Pring, Michael Pope, William Petty, Jonathan Punderſon, John Pugh, Robert Parker, Thomas Paty, Samuel Perry, Hugh Parnell, Samuel Pritchard, Jeſſe Parroiſſien, Cecil Pitt, John Rahn, Peter Renvoize, Robert Rainer, Henry Read, John Robertſon, James Robertſon, Thomas Rubey, Joſeph Sibley, Samuel Scott, William Slade, Saunderſon Turner Sturtevant, James Stutters, Robert Stormont, James Shepherd, John Spiller, Thomas Scott, Southerby, James Stratten, William Spencer, Henry Stevens, Joſeph Savidge, Thomas Tannatt, William Timmins, Thomas Thompſon Weſt, John Wilmot, Stephen Witherden, John Wright, David Wilkinſon, Robert Wrightſon, Daniel Williams, Lewis Williams, William White, and the Miniſter and Churchwardens of the Pariſh of Saint Matthew Bethnal Green, for the Time being, ſhall be, and they and their Succeſſors, to be elected in Manner herein-after mentioned, are hereby appointed Commiſſioners for putting this Act in Execution; and when any of the Commiſſioners herein named, or who ſhall at any Time hereafter be appointed under and by virtue of this Act, ſhall die or refuſe to act, or neglect to attend at the Meetings of the ſaid Commiſſioners which ſhall be held in purſuance of this Act, for the Space of Two Years, it ſhall be lawful for the ſurviving or remaining Commiſſioners, or any Nine or more of them, and they are hereby required from Time to Time to meet, and elect, and by Writing under their Hands and Seals to appoint One other Perſon, being a Veſtryman of the ſaid Pariſh of Saint Matthew Bethnal Green, to

On Death, &c. of Commiſſioners, others to be elected.

be a Commissioner in the Room and Stead of such Commissioner so deceased, or refusing to act, or neglecting to attend, within the Time aforesaid, Ten Days publick Notice at the least of the Time and Place of meeting for every such Election being given in the said Parish Church immediately after Morning Service on the Lord's Day (which Notice the Rector or Curate of the said Parish is hereby required to read or give, or cause to be read and given); and every Person so elected and appointed shall be and is hereby vested with the same Powers and Authorities for putting this Act in Execution as the Person in whose Place he shall be elected was vested with, and as the herein-before named Commissioners are declared to be vested with.

Notice to be given of such Election.

Qualification of Commissioners.

III. And be it further enacted by the Authority aforesaid, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall then be, in his own Right, or in Right of his Wife, in the actual Possession and Receipt of the Rents and Profits of Freehold or Copyhold Lands, Tenements, or Hereditaments, of the clear yearly Value of Fifty Pounds, or possessed of or entitled in Possession to a Personal Estate of the Value of One thousand Pounds, of which he shall make and subscribe the following Oath or Affirmation before the Commissioners, at the First Meeting when such Commissioner or Commissioners shall attend, and before he doth any Act whatever relating to the Powers of this Act, which Oath or Affirmation the Commissioners, or any Two or more of them, are impowered to administer, at any publick Meeting to be held by the Commissioners for carrying this Act into Execution; (that is to say),

I *A. B.* do swear, [*or, being One of the People called Quakers*, do affirm], That I truly and *bona fide* am in my own Right, or in Right of my Wife, in the actual Possession, or Enjoyment or Receipt of the Rents and Profits of a Real Estate, in Law or Equity, of the clear yearly Value of Fifty Pounds above Reprizes, or possessed of or entitled unto a Personal Estate to the Amount or Value of One thousand Pounds.

So help me GOD.

Penalty on acting, if not qualified.

And if any Person, not being so qualified, or not having taken and subscribed such Oath, shall presume to act as a Commissioner under this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same,

same, to be recovered in any of His Majesty's Courts of Record at Westminster, by Action of Debt or on the Case, or by Bill, Suit, or Information, together with Costs of Suit, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed, and wherein the Proof of Qualification shall lie on the Persons prosecuted; and it shall be sufficient on the Part of the Prosecutor to prove that the Person or Persons so prosecuted had acted as a Commissioner or Commissioners in the Execution of this Act.

Victuallers incapable of acting as Commissioners.

IV. Provided always, and be it further enacted by the Authority aforesaid, That no Victualler, or Person who shall sell Ale, Wine, or other Spirituous Liquors by Retail, shall be capable of being elected, or of acting as a Commissioner under this Act, or of holding any Place of Profit under the same.

Majority at publick Meeting to act.

V. And be it further enacted, That all the Powers and Authorities by this Act granted to and vested in the Commissioners hereby constituted as aforesaid, shall and may, from Time to Time, be exercised by the major Part of them who shall attend any publick Meeting to be holden as herein-after mentioned, the Number of the Commissioners present at such Meeting not being less than Five; and that the Number of Five Commissioners, present at any Meeting, shall be a competent Number to constitute a Meeting for carrying this Act into Execution, and for exercising all the Powers hereby vested in the said Commissioners (except in such Special Cases where a greater Number is required by this Act); and that all the Orders and Acts and Proceedings of the major Part of the said Commissioners so present shall have the same Force and Effect as if all the Commissioners had been present, and concurred therein, and been assenting thereto.

Five to form a Meeting, except where a greater Number expressly required.

Time and Place of Commissioners First Meeting.

VI. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall and they are hereby required to meet together in the Vestry Room of the Parish Church of Saint Matthew Bethnal Green aforesaid, on Wednesday the Fifth Day of June One thousand seven hundred and ninety-three, when this Act shall commence and take Effect, between the Hours of Ten and One, and shall then and there proceed to the putting of this Act in Execution; and they the said Commissioners, or any Five or more of them, being the Whole or major Part of the Commissioners appearing at such Meeting, are hereby impowered to adjourn themselves from Time to Time, to meet at the same or any other convenient Place within

Adjournments.

the

the Parish aforesaid, as they shall think proper, for putting this Act in Execution; and if at any Meeting so appointed there shall not appear a sufficient Number of Commissioners to act or to adjourn to another Day, or in case the said Commissioners shall at any Time omit, neglect, or refuse to adjourn themselves, then, and in every such Case, the Commissioners Clerk, to be by them nominated in pursuance of the Powers herein after vested in them, shall appoint a Meeting of the said Commissioners at the Place of holding such last Meeting, by publick Notice in Writing, to be affixed at least Eight Days before the Time by such Notice appointed for such Meeting, on the principal Door of the Parish Church aforesaid; and in case the said Clerk shall die, or be incapable of acting, before the Appointment of such Meeting, or shall refuse or neglect to make such Appointment when required by any Five or more of the said Commissioners, then any Five or more of the said Commissioners shall and may, by the like publick Notice, appoint a General Meeting of the Commissioners under this Act, to be held at the Place where the last Meeting was held; and it is hereby declared, that all Orders, Acts, and Determinations of the said Commissioners, (except the above Appointment of a Time and Place for the Meeting of the Commissioners so to be made as aforesaid, in case of Failure to adjourn by the Commissioners present at the preceding Meeting), shall be made at a General Meeting held in pursuance of this Act, and not otherwise; and that no such Order or Determination shall be made or be valid, unless there shall be present Five Commissioners at the least at such Meeting, and unless the Majority of the Commissioners present shall concur therein; and the said Commissioners at all their Meetings shall defray their own Expences; but no Person shall be capable of acting as a Commissioner in the Execution of any of the Powers hereby granted during the Time he shall hold or enjoy any Office of Profit under this Act, or have any Share or Interest in any Contract relating to the Execution hereof; and any Person who shall presume to do any Act as a Commissioner whilst under such Disability or Disqualification as aforesaid, shall forfeit the Sum of Two hundred Pounds, to be sued for and recovered in the same Manner as the Penalty upon Persons acting as Commissioners, without having a Qualification in Property, is herein-before directed to be sued for and recovered.

All Acts to be done at a General Meeting.

Commissioners to pay their own Expences, and not to act where interested.

VII. And be it further enacted by the Authority aforesaid, That the said Commissioners for the Time being, or

Commissioners may appoint Officers;

ch any Nine or more of them, shall and may, by Writing under their Hands and Seals, at their First or any subsequent Meeting, held in pursuance of this Act, appoint One or more Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, Receiver or Receivers of the Rates or Assessments, Surveyor or Surveyors, Inspector or Inspectors, and such other Officer or Officers, for the Execution of this Act, as they the said Commissioners for the Time being shall think proper, and they or their Successors, Commissioners for the Time being, are hereby impowered from Time to Time to remove any or either of the Officers so to be appointed, and to appoint others as they shall find necessary or convenient, and by and out of the Monies to be raised by virtue of this Act may and are hereby impowered to allow and pay such Salaries and Allowances to such Officers respectively (the Treasurer excepted), and to all other Persons by them the said Commissioners employed in the Execution of this Act, as they shall think reasonable; and the said Commissioners for the Time being shall and they are hereby required, in the Name of their Clerk, or of any Nine or more of the Commissioners for that Purpose to be named at a Meeting, to take such Security from the Treasurer and other Person and Persons for the due Execution of the respective Offices, to which such Person and Persons shall by them be appointed as aforesaid, as the said Commissioners shall think proper; and such Person or Persons as is or are hereby made liable to pay the several Rates or Sums of Money hereby granted shall pay the same to such Person or Persons as shall from Time to Time be so appointed to collect and receive the same, 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 shall direct, deliver to such Commissioners, or such other Person or Persons as they 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 such Monies as shall have been by such Officer or Officers and Person or Persons respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to the said Commissioners, or to such Person or Persons as they shall appoint; and all the said Officers and Persons for accounting as aforesaid shall

and allow them Salaries.

Officers to give Security.

Rates to be paid to the Collectors.

Officers to account, &c.

and to pay Monies in Hand, and deliver up Books, when required;

shall upon Oath, if thereunto required (which Oath the said Commissioners, or any Two or more of them, are hereby impowered to administer at any Meeting of the said Commissioners), verify their said Accounts; and if any such Officer or Person, Officers or Persons, 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 to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by any Five or more of the said Commissioners, by Notice in Writing given to or left at the last or usual Place of Abode of any such Officer or Officers, all Books, Papers, and Writings, in his or their Custody or Power, relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in his or their respective Hands, to the said Commissioners, or as they shall direct and appoint, then, and in either of the Cases aforesaid, such Commissioners may and are hereby authorized and impowered to bring or cause to be brought any Action or Actions in the Names of such Commissioners, or any Two or more of them, in any of His Majesty's Courts of Record at Westminster, 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, with Costs of Suit; or if Complaint shall be made by the said Commissioners, or by any Two or more of them, or by any Person or Persons whom they shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any One 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 or Justice may, and are and is hereby authorized and required, by a Warrant or Warrants under his or their Hands and Seals, to cause the Officer or Officers, Person or Persons, so refusing or neglecting, to be brought before him or them, and upon his or their appearing (or not being found, Oath being thereof made) 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, it shall appear to such Justices or Justice 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,

or may proceed by Distress or Sale of the Offender's Goods.

Person or Persons, against whom such Complaint shall so have been made, such Justices or Justice may, and are and is hereby authorized and required, upon Nonpayment thereof, by a Warrant or Warrants under their or his Hands and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons, offending in the Premises respectively, and if no Goods or Chattels of such Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money, and Charges of distraining and selling the same, or in case it shall appear to such Justices or Justice, by the Confession of the said Party so offending, or by the Testimony of any credible Witness upon Oath, that any Books or Writings relating to the Execution of this Act shall be in the Custody or Power of any such Officer or Officers, Person or Persons, and he or they shall refuse to deliver the same as aforesaid, then and in either of the said Cases such Justices or Justice shall commit every such Offender to the Common Gaol of the County or Place where such Offender shall be and reside, there to remain, without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners, or any Five or more of them, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners, or any Five or more of them, are hereby impowered to make and accept), and until he or they shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Commissioners.

On Failure of Distress, the Offender may be committed.

VIII. Provided always, That no Person who shall be committed on Account of his having no Goods or Chattels, be detained in Prison for any Term longer than Six Months, unless it shall appear by sufficient Evidence to the Justices or Justice so committing, that the Person committed had at the Time of the Commitment any Book or Books, Paper or Papers, Writing or Writings, belonging or relating to the Execution of this Act, in which Case the Person so committed shall remain in Prison until he shall deliver up upon Oath all and every such Books, Papers, and Writings.

Proviso.

IX. And be it further enacted, That all Acts, Orders, and Proceedings of the said Commissioners shall be entered in a Book or Books to be kept for that Purpose, attested by the Clerk, and signed by the Chairman at their next Meeting after making the same, and such Acts, Orders, and Proceedings shall then be deemed and taken

Proceedings to be entered in a Book,

to

to be read in Evidence.

to be Originals, and such Book or Books shall and may be produced and read in Evidence, and allowed as such in all Courts whatsoever.

On Death or Failure of Treasurer, Collector, &c.

X. And be it further enacted, That upon the Death of any Treasurer, Collector, Officer, or other Person to be appointed as aforesaid, or upon his or their becoming Bankrupt or Bankrupts, before he or they shall have paid and delivered up all the Monies he and they shall have received by virtue of this Act, their respective Executors or Administrators, or the Assignee or Assignees of his or their Estate and Effects, or other Person or Persons possessing the same, or in whom the same have or hath vested, shall within Forty Days next after such Decease or Bankruptcy deliver to the said Commissioners an Account in Writing, under his, her, or their Hand or Hands, of the Monies collected or received by the Person or Persons so deceased or become Bankrupt, for the Purpose of this Act; and shall also deliver all Books, Papers, and Things concerning his or their Office, to such Person or Persons as the said Commissioners, by Writing under their Hands, shall appoint to receive the same, and such Money, if any due, shall be paid by the Executors or Administrators, or Assignee or Assignees respectively, of the Person so deceased or become Bankrupt, in preference to and before any of his or their other Debts are paid or satisfied (Debts to the Crown only excepted); and every Executor or Administrator, Assignee, or other Person or Persons possessed of such Effects as aforesaid, may plead such Payment in any Action or Suit that may be brought against him, her, or them, on Account of the said Estate or Effects, or give the same in Evidence; and in case of Nonpayment of such Monies, or Nondelivery of such Books, Papers, Writings, or Things, by the Space of Ten Days after the same shall be demanded, it shall be lawful for the said Commissioners, in the Names of any Two or more of them, to commence, bring, and maintain an Action or Actions, in any of His Majesty's Courts of Record at Westminster, against such Executor or Administrator, Assignee, or other Person or Persons possessing the Estate or Effects which did belong to such deceased Person or Bankrupt, for Recovery thereof, together with Costs of Suit, or of Damages, in lieu of such Books, Papers, Writings, and Things.

the Money in their Hands belonging to the Trust to be paid in Preference.

Officers taking other Fees than allowed by this Act, or being

XI. And be it further enacted, That if any Person who shall be employed by the said Commissioners, as Clerk, Surveyor, Treasurer, Collector, or any other

Officer or Servant, in putting this Act, or any of the Powers herein contained, in Execution, shall exact, take, or accept, by any Ways or Means, any Fee or Reward whatsoever, other than such Salaries, Allowances, and Rewards, as shall be appointed, allowed, and approved of by the said Commissioners, for or on Account of any Thing done or to be done by virtue of this Act, or on any Account whatsoever relative to the putting this Act in Execution, or shall be by any Ways or Means directly or indirectly concerned or interested in any Bargain, Contract, or Agreement made or to be made by or with the said Commissioners for any the Purposes of this Act, every such Person so offending shall be incapable of ever serving or being again employed under this Act, and shall, over and above, forfeit the Sum of One hundred Pounds, to be recovered by 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 no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

concerned in any Bargain, disqualified, and to forfeit 100*l.*

XII. And be it further enacted, That the said Commissioners shall and may, as soon as conveniently may be after their First Meeting, and from Time to Time afterwards, cause the Streets, Rows, Lanes, and Places herein-after mentioned, within the said Parish of Saint Matthew Bethnal Green, and Saint Leonard Shoreditch; (videlicet), The Road leading from Holywell Street Shoreditch to Old Cock Lane, Old Cock Lane, New Cock Lane, and Church Street aforesaid, Great Bacon Street, Little Bacon Street, Swan Street, Sclater Street, Anchor Street, and so much of Spicer Street as is in the Parish of Saint Matthew Bethnal Green, Great George Street, Little George Street, Fleet Street, Saint John Street, Hare Street, Silver Street, Thomas Street, James Street, Club Row, Carter's Rents, Nichol's Row, Old Nichol Street, New Nichol Street, Turvill Street, Tysson Street to the North End of Hanbury and Company's Storehouses, Three Colt Lane, Fleet Street Hill, York Street, and so much of Wheeler Street as is in the Parish of Saint Matthew Bethnal Green, Hare Marsh, and the Foot Ways on the North and South Sides of Bethnal Green Road, from the End of Church Street to the Turnpike on Bethnal Green Road, or by what other Names they may have been called or known, and the several Courts, Yards, Alleys, Passages, and Places opening into or communicating with the same, or any Part or Parts thereof within the said Parish of Saint Matthew

Commissioners may cause certain Streets to be new paved or repaired.

Bethnal Green, and also the South Side of Bethnal Green Road, from the Turnpike aforesaid to the Sign of the Salmon and Ball on Bethnal Green, to be new paved or repaired as they shall think proper, and for such Purposes may from Time to Time cause to be dug, carted, and carried away out of, or brought into the same, or any of them, or any Part or Parts thereof, or any convenient Place or Places thereto adjoining, or near, so as not to trespass wilfully on private Property, such Gravel, Stones, and other Materials, as they shall judge necessary, and may likewise cause the Ground thereof to be raised or lowered, the Course of Channels running in or through the same to be turned or altered, and the Water Pipes which now are laid or hereafter shall be laid under Ground, to be taken up and new laid in such Places, Manner, and Form, as they shall judge best; and may cause all or any Posts or Rails, or other Bars, in any such Streets, Rows, Lanes, Alleys, Courts, Passages, or Places as they shall judge useless, or to be a Nuisance or Obstruction either to Foot Passengers, or to Horses or Carriages, to be taken away, or removed or altered, and likewise to cause all Steps or Slopes, Bulks, Stalls, Dung Holes, Saw Pits, Shew Glasses, Shew Boards, and other Matters and Things incroaching upon or projecting over or into the Footway, as also all Steps and Doors opening or leading from the Footway or Carriage Way into Houses, Vaults, Cellars, Warehouses, or other Buildings or Places, to be removed, filled up, or altered, as they the said Commissioners shall judge necessary and expedient, and may employ such Surveyors, Artificers, Workmen, Labourers, and others, and may issue Money for the above Purposes, and may do all and every such Acts and Things for accomplishing the aforesaid Ends and Designs, as they shall think necessary, and shall pay for the same out of the Monies arising by virtue of this Act; and all and every such Surveyor and Surveyors, Artificers, Workmen, and others so employed and acting under the Direction of the said Commissioners, are and is hereby indemnified for what they shall do and cause to be done respecting the Matters aforesaid: Provided always, that in paving or repairing the Pavement in Old Cock Lane, the Foot Path on the South Side shall not be diminished or made narrower than it is at present.

Penalty on obstructing Workmen.

XIII. And be it further enacted, That if any Person or Persons shall obstruct, hinder, or molest any Surveyor or other Officer, Workmen, Person or Persons whatsoever, employed by virtue of this Act, in the Performance or

Execution of his or their Duty, every such Person so offending shall, for the First Offence, forfeit and pay the Sum of Twenty Shillings, for the Second Offence the Sum of Forty Shillings, and for every other Offence the Sum of Three Pounds.

Penalty on altering the Form of the Pavements without Consent of Commissioners.

XIV. And be it further enacted, That no Person or Persons shall alter, or cause to be altered, the Form of any Pavement which shall be new made or repaired by virtue of this Act, without the Consent of the said Commissioners, or in anywise encroach thereon, or put up any Post or Posts, Step or Steps, or erect any Bulks or Stalls, or place any Shew Glass or Shew Boards, or make any Dung Holes or Saw Pits, or other Matters or Things, so as to be an Incroachment, upon Pain that every such Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings, over and above the Expences of relaying and reinstating such Pavement, and taking down such Posts, Bulks, or Stalls, and removing or altering such Shew Boards or Shew Glasses, or filling up such Dung Holes or Saw Pits, or removing other Nuisances and Obstructions, according to the Direction of the said Commissioners.

Notice to be given of taking up Pavements, &c. for repairing any Vault, Drains, &c.

XV. And be it further enacted by the Authority aforesaid, That when and so often as any Part of the Pavement of the said Streets or Lanes shall be taken up for the Purpose of making, repairing, altering, cleansing, or emptying any Sewer, Vault, or Drain, or of laying, altering, or amending any Water Pipe or Plug, or for any other Purpose whatsoever, the Person or Persons so taking up such Pavement shall immediately give Notice thereof to the Surveyor or Clerk to the Commissioners for putting this Act in Execution, in order that the same may, with all convenient Speed, be laid down and repaired under the Inspection of the said Surveyor, and the Charges and Expences thereof shall be paid by the Person or Persons, Company or Companies of Water Works, or Commissioners of Sewers, who shall take, or cause or procure to be taken up, the said Pavement, or any Part or Parts thereof.

Commissioners may contract with Companies for re-laying such Pavement.

XVI. Provided always, and be it further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners for putting this Act in Execution, or any Seven or more of them, from Time to Time to compound and agree with the said Companies or Commissioners of Sewers, or other Person or Persons respectively, for a certain Sum of Money, by the Foot or other Measure, as the said Commissioners for putting this Act in Execu-

tion

tion shall think reasonable, in lieu and instead of laying down or repairing such Pavement as shall be necessarily taken up for any of the Purposes aforesaid.

On Refusal of Payment, an Action may be brought.

XVII. And be it further enacted by the Authority aforesaid, That in case such Person or Persons, Companies of Water Works, or Commissioners of Sewers respectively, shall neglect or refuse to make good such Pavement within Two Days next after Notice thereof, to be left by the Surveyor or Clerk appointed or to be appointed by the said Commissioners, at the Dwelling House or last Place of Abode of such Person or Persons, or of the Secretary or Secretaries, Clerk or Clerks of such Companies of Water Works, or Commissioners of Sewers respectively, which Notice shall be in Writing, and signed by the Clerk to the Commissioners for putting this Act in Execution by Order of the said Commissioners, then such Commissioners of Pavement shall be at Liberty to do the same, and deliver a Bill, containing an Account of the Expence of doing such Repairs; and in case such Person or Persons, Company of Water Works, or Commissioners of Sewers shall neglect to pay the same for Ten Days after Notice thereof, it shall be lawful for the said Commissioners of Pavement, and they are hereby authorized and impowered to bring, or cause to be brought, any Action or Actions in the Names of any Two or more of them, for the Recovery of such Sum or Sums of Money respectively; and in case such Person or Persons, hereby directed to give such Notice to the Surveyors or Clerk to the Commissioners for putting this Act in Execution, as is before directed, shall neglect so to do for the Space of Twenty-four Hours after such Pavement shall be so taken up, such Person or Persons shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

Paying for Damage done to Pavements by the bursting of Sewers or Water Pipes.

XVIII. And whereas the Pavement in the said several Streets and Places authorized to be paved or repaired by virtue of this Act, may be frequently broken up or damaged by the bursting and overflowing of Sewers, and by the breaking and bursting of Water Pipes, or otherwise; be it therefore further enacted by the Authority aforesaid, That the Costs, Charges, and Expences attending or incident to the repairing or making good the Pavements of the Streets, Lanes, and Places authorized to be paved or repaired by virtue of this Act, the Person or Persons causing or occasioning the said Pavements, or any Part thereof, to be broke or damaged, shall stand Debtor, upon an implied Promise to the said Commissioners, or their Paviour, for such Repair, as for Work and Labour done, and Materials found, for the Use of

such Person or Persons; and the said Commissioners, or their Paviour, is and are hereby authorized and impowered to commence and prosecute One or more Action or Actions, Suit or Suits, against such Person or Persons in any of His Majesty's Courts of Record at Westminster, or where the Debt shall amount to or exceed the Sum of Forty Shillings, and be under Five Pounds, in the Court of Record within the Manors of Stepney and Hackney, in the County of Middlesex, and the Hamlets and Liberties of the same, or where any Debt shall be under Forty Shillings, by any Suit in the Court of Requests for The Tower Hamlets, within the said County of Middlesex, or in any other Court of Requests within the Jurisdiction of which such Person or Persons shall reside, wherein he and they shall recover a reasonable Satisfaction for such Work and Labour, and Materials, together with Costs of Suit; but where the Commissioners of Sewers, Companies of Water Works, or other Bodies Politick or Corporate, occasion such Damage to the said Pavement, that then the respective Treasurers of such Bodies Politick or Corporate, Commissioners of Sewers, or Companies of Water Works, shall stand Debtors for such Repairs, upon an implied Promise to the said Commissioners or their Paviour, who is and are hereby authorized to commence such Action, Suit, or Proceeding as aforesaid, against any such Treasurer, wherein he or they shall recover a reasonable Satisfaction for such Work, Labour, and Materials, together with Costs of Suit, and such Treasurers respectively is and are hereby authorized and allowed to take Credit in his or their Accounts for the Monies he or they shall pay or disburse on Account of the Premises.

To prevent Nuisances by private Drains or Cess Pools.

XIX. And be it further enacted by the Authority aforesaid, That when any private Drain, Vault, Sewer, or Cess Pool, shall fall in or become ruinous, or choaked up, so as to affect or injure the Pavement of the said Streets, Lanes, and Places, authorized to be paved or repaired by virtue of this Act, or any of them, or shall become stinking or offensive to the Inhabitants thereof, the Owner or Owners, Proprietor or Proprietors, of the several Messuages, Lands, Tenements, and Hereditaments which have the Use of such Drains, Vault, Cess Pool, or Sewer, shall, within Two Days after Notice delivered or left for him, her, or them at the said several Messuages or Dwelling Houses, from the said Commissioners, or their Surveyor, Paviour, or other Person to be appointed by them for that Purpose, proceed to, and with all convenient Speed effectually cleanse, repair, and

amend such Sewer, Vault, Drain, or Cess Pool; or in Default thereof, it shall be lawful for the said Commissioners, or their Surveyor, to cause the same to be done, and the Charges and Expences thereof, and of repairing the Pavements damaged thereby, shall stand charged on the said several Messuages, Lands, and Tenements, and be paid by the said respective Owners and Proprietors thereof, or their Undertenants on their Behalf, and the Quota or Share each Party shall pay of such Charges and Expences, shall be ascertained, proportioned, and assessed by the Award or Arbitrement of the said Commissioners of Pavement; and in case Default shall be made in Payment of any of the said Proportions of the said Charges, the same shall be recovered by Distress and Sale of the Goods and Chattels of the Occupier and Occupiers of any or either of the Messuages, Lands, and Tenements which shall be charged by such Award with the Payment thereof; and such Occupier or Occupiers, paying such Apportionment or Assessment, is and are hereby authorized and impowered to deduct the Monies so paid, out of his or her Rent or Rents then due, or which shall thereafter accrue due, to the said Commissioners, who at their Election may prosecute One or more Action or Actions, Suit or Suits, in any or either of such Courts as aforesaid, against the said respective Proprietors or Owners of the said several Messuages, Lands, Tenements, or Hereditaments, for their said respective Proportions of the said Charges, and they shall recover the same thereby, together with the Costs of Suit.

Commissioners to pay for altering Pipes for the Purposes of this Act.

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

Where any of the Water Pipes break, Notice to be given to the Water Companies.

XXI. And be it further enacted, That when and so often as it shall happen that any Pipe or Pipes belonging to any Water Company shall break or burst in any of the said Streets, Rows, Lanes, Courts, Yards, Alleys, Passages, or Places, paved or repaired by virtue of this Act, the Surveyor to the said Commissioners, or such other Person as they shall appoint for that Purpose, may

and

and shall give immediately Notice thereof to the Paviour of the Water Company to whom he apprehends such Pipe or Pipes does or do belong, and require him to take up the Pavement and open the Ground at or near the Place where the Water issues by Reason of such Pipe or Pipes breaking or bursting, within Twenty-four Hours next after such Notice given to such Paviour, or left at his last or usual Place of Abode; and if upon taking up of the Pavement and opening the Ground it shall appear that the Pipe or Pipes so broken or burst doth not or do not belong to the Water Company whose Paviour shall have taken up such Pavement and opened such Ground, then and in such Case the Surveyor or other Person as aforesaid shall give immediate Notice to the Paviour of that Company to whom it shall appear that the said Pipe or Pipes doth or do belong, such Notice to be given or left with such Paviour, or at his last or usual Place of Abode; and the Paviour of the Company to whom such Pipe or Pipes shall belong, is hereby required to repair the same, and fill in the Ground, within Twenty-four Hours after such Notice given or left as aforesaid, and also within Two Days after such Pipe shall be repaired, and the Ground filled in, to give Notice to the Paviour or Paviours contracting with the said Commissioners, or to the Surveyor or other Person as aforesaid, of such Pipe or Pipes being repaired, and such Ground being filled in, such Notice to be given to such Contractor, Surveyor, or other Person, or left at his or their last or usual Place of Abode; and in case it shall happen that the Paviour who first receives such Notice shall take up such Pavement, and open such Ground, and it shall then be discovered that the Pipe or Pipes burst or broken doth or do not belong to the Company to whom he is Paviour, then and in such Case the Paviour of the Company to whom such Pipe or Pipes doth or do belong shall make Satisfaction to the Paviour who so took up such Pavement and opened such Ground for such Work; and in case the Paviour to whom such Notice shall be so given to take up such Pavement and open such Ground shall neglect or refuse to do the same within the said Twenty-four Hours after Notice given, he shall for the First Offence forfeit and pay the Sum of Twenty Shillings, for the Second Offence the Sum of Forty Shillings, and for the Third and every other Offence the Sum of Three Pounds; and in case the Paviour of the Company to whom such Pipe or Pipes so broken or burst shall belong shall neglect or refuse to repair and amend

amend the same, and fill in the Ground so taken up, for the Space of Two Days next after such Notice given, or shall neglect to give Notice to the Paviour or Paviours contracting with, or the Surveyors to the said Commissioners, or to such other Person as aforesaid, such Paviour shall for the First Offence forfeit the Sum of Twenty Shillings, for the Second Offence the Sum of Forty Shillings, and for the Third and every other Offence the Sum of Three Pounds; and if any Person or Persons contracting with the said Commissioners to relay such Pavements so broken or taken up for any the Reasons aforesaid, shall neglect or refuse to relay such Pavement in a good, sufficient, and effectual Manner, within Two Days after Notice given to him or them, or if the Surveyor or other Person to whom such Notice shall be given shall neglect to acquaint the Contractor of such Notice, then and in every such Case the Person or Persons so offending shall for the First Offence forfeit the Sum of Twenty Shillings, for the Second Offence the Sum of Forty Shillings, and for the Third and every other Offence the Sum of Three Pounds.

Paviours and Turncocks to give Notice of their Place of Abode.

XXII. And be it further enacted, That the several and respective Paviours and Turncocks now appointed, or herein-after to be appointed, in case of the Death or Removal of any such Paviour or Turncock, by the said several and respective Water Companies, shall and they are hereby required, within the Space of Twenty-one Days next after the Commencement of this Act, or within the Space of Three Days next after he or they shall be appointed Paviour or Paviours, Turncock or Turncocks to such Company or Companies, to give Notice in Writing to the Surveyor or Surveyors for the Time being to the said Commissioners for putting this Act in Execution, which Notice shall contain such Paviour's or Turncock's Name and Place of Abode respectively, as also to what Company he is Paviour or Turncock, and in what District he has the Care of such Company or Companies Pipes; and in like Manner the Surveyor or Surveyors to such Commissioners for the Time being shall, within the respective Times aforesaid, give Notice to the respective Paviours and Turncocks of the said several Water Companies, of his or their own Place or Places of Abode, and also to the Surveyor or Surveyors to the Commissioners of Sewers, of the Names and Places of Abode of such Contractor or Contractors, and of the Paviour or Paviours employed by such Commissioners; and every Person or Persons neglecting or refusing to give such

Notice as aforesaid, within the Times before respectively specified for that Purpose, shall, for every such Offence, forfeit the Sum of Forty Shillings.

Commissioners may direct Grates over Sewers to be altered.

XXIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to direct the Grates already or hereafter to be placed over any Sewers to be removed and replaced in such Manner, and at such Place and Places, as they shall think most proper, so as the same be not detrimental or prejudicial to the publick Sewers, and be from Time to Time done at the Expence of the said Commissioners, and paid for out of the Money arising by virtue of this Act, any Law, Usage, or Custom, to the contrary notwithstanding.

If new Grates wanting, or Sewers want cleansing or repairing, the Commissioners of Sewers to be summoned.

XXIV. And be it further enacted, That when and so often as there shall be Occasion to make new or additional Grates over any Sewer or Sewers within the said Parish of Saint Matthew Bethnal Green, or to repair, cleanse, or amend any of the said Sewers, or remove or repair the Grates over the same, the Clerk for the Time being of the Commissioners of the said Sewers shall, at the Request in Writing of the Surveyor of the said Commissioners under this Act, or other Person or Persons authorized by them for that Purpose, summon the said Commissioners of Sewers to meet within Ten Days, in order to take the Premises under Consideration, which they are hereby authorized and required to do at such Meeting, and also at the same Meeting, or any adjourned or other Meeting, to exercise the several Powers and Authorities with which they are invested, in order that the said several Works may be effectually done, completed, and finished.

Notice to be given when Pavements want Repair.

XXV. And be it further enacted, That if any Householders or Householder within the respective Streets, Rows, Lanes, Courts, Yards, Alleys, Passages and Places herein-before particularly described and authorized to be paved or repaired, or any other Street, Lane, Passage, or Place hereafter to be paved or repaired by virtue of this Act, shall at any Time make Complaint in Writing under his, her, or their Hands or Hand, and shall leave the same at the last or usual Place of Abode of the Surveyor or Surveyors to the said Commissioners, Three Days at least before any Meeting of the Commissioners, thereby specifying any Defect or Want of Repair of any of the Pavements within such Streets, Rows, Lanes, or other Places respectively, either before or after the same shall have been new paved or repaired by virtue of this Act, then and in every such Case the

said Surveyor or Surveyors shall view, and he and they is and are hereby required to view and examine the said Pavement, and report the Condition thereof to the said Commissioners at such next Meeting; and if the said Surveyor or Surveyors shall, upon such View, find and report the Pavement complained of to be bad and defective, the said Commissioners shall (unless it shall appear to arise from a Defect relating to the Water Pipes lying under the Pavement) give Order in Writing, under the Hands of any Five or more of them, to their Contractor or Contractors, Paviour or Paviours, to repair the same within such Time as the said Commissioners shall judge necessary for the Repair thereof, which Time shall be specified in such Order; and if the Contractor or Contractors, Paviour or Paviours, to whom such Order shall be given, shall not repair and amend such Pavement within such Time as he or they shall be so directed by the said Commissioners as aforesaid, then and in every such Case the said Contractor or Contractors, Paviour or Paviours, shall forfeit and pay the Sum of Twenty Shillings for every Day the said defective Pavement shall remain unrepaired after the Time limited by the said Commissioners in their said Order, and One Half of every such Penalty shall be applied and paid to such complaining Householder or Householders for his, her, or their Loss of Time and Trouble in and about the Premises, and the other Moiety be applied for the Purposes of this Act.

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

XXVI. Provided always, and it is hereby enacted and declared, That if the said Surveyor or Surveyors shall, on any View and Examination, be of Opinion that the Pavement or Pavements mentioned in such Notice is or are not bad and defective, and shall so report to the Commissioners, then and in such Case the said Commissioners, or some Three or more of them, shall within Five Days proceed to view the said Pavement, and their Opinion and Order concerning the same, after such View, shall be final and conclusive, any Thing in this Act contained to the contrary thereof in anywise notwithstanding.

Ground may be hired for getting Gravel, and lodging Materials.

XXVII. And be it further enacted, That it shall be lawful for the said Commissioners to hire a Piece or Pieces of Ground for the Purpose of digging Gravel or lodging Materials or Utensils in for the Purposes of this Act, for such Time and for such Sum and Sums of Money as to them shall appear reasonable, which Money shall be paid out of the Monies arising by virtue of this Act.

XXVIII. And be it further enacted, That during the Time any Street, Row, Lane, Court, Yard, Alley, Paſſage, or Place ſhall be new paving or repairing under the Direction of the ſaid Commiſſioners, they ſhall have Power to order the neceſſary Materials to be lodged in that or any of the adjoining Street or Place or Streets or Places, according to their Diſcretion, and all Perſons acting under their Direction as aforeſaid are hereby indemnified from any Proſecution or Action whatſoever, except where ſuch Materials ſhall be lodged upon or over, or within Six Feet of the Fire Plug or Cock, and no ſuch Materials ſhall be depoſited in or near the End of any Street or Place in ſuch Manner as to prevent the Admiſſion of Fire Engines.

Materials may be lodged in adjoining Streets, and for ſtopping up Streets adjoining whilſt Pavement is doing.

XXIX. And be it further enacted, That the ſaid Commiſſioners, or any Nine or more of them, at a publick Meeting, being the major Part of the Commiſſioners preſent at ſuch Meeting, may and they are hereby authorized and impowered, from Time to Time, to contract in Writing with any Perſon or Perſons for paving or keeping in Repair any ſuch Streets, Rows, and other Places as ſhall be appointed to be paved or repaired by virtue of this Act, or may cauſe the ſame, or any Part or Parts thereof, to be ſo paved or repaired under their own Direction, which Contract 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 Nine or more of them, and alſo by the Perſon or Perſons contracting to perform ſuch Works reſpectively, which Contract ſhall be entered in a Book or Books to be kept for that Purpoſe by the Clerk to the ſaid Commiſſioners; but previous to the making any ſuch Contract, Fourteen Days Notice at leaſt ſhall be given in the Pariſh Church of Saint Matthew Bethnal Green, and alſo adverti ſed Three Times at leaſt in ſome publick Newſpaper publiſhed within the Bills of Mortality, Fourteen Days at leaſt previous to the Time of entering into ſuch Contract, expreſſing the Intention of ſuch Contract, in order that any Perſon or Perſons willing to undertake the ſame may make Propoſals for that Purpoſe to the ſaid Commiſſioners, at a certain Time and Place in ſuch Notice to be mentioned and appointed for that Purpoſe.

Commiſſioners may contract, &c. for paving.

XXX. And be it further enacted, That the ſaid Commiſſioners ſhall cauſe all and every the Work done in purſuance of this Act to be inſpected by their Inſpector, Surveyor

Works to be inſpected.

Surveyor or Surveyors, or by such other Person or Persons as they shall, from Time to Time, appoint for that Purpose; and in case the same shall not be well and sufficiently performed according to the Intent and Meaning of such Contract or Contracts, or shall not be finished and completed at or within the Time or Times that the same is or are agreed to be completed by the said Contractor or Contractors, and the said Inspector, Surveyor or Surveyors, or other Person or Persons, shall report the same to the said Commissioners at their next or any subsequent Meeting, the said Commissioners shall or may, in the Names of the Commissioners Parties to and signing such Contract, or in the Names of such of them as shall be then living, bring an Action of Debt in any of His Majesty's Courts of Law at Westminster, against the Person or Persons so contracting and neglecting to perform, or not duly performing any such Contract or Contracts, and for any Penalty or Penalties which shall be contained therein; and on Proof of the signing of the said Contract or Contracts, and Nonperformance thereof, at the Time or Times, or in the Manner therein mentioned, the said Commissioners shall be entitled to and shall recover such Penalty or Penalties, which, when recovered, shall be applied for the Purposes of this Act.

Streets to be swept.

XXXI. And be it further enacted, That all Persons inhabiting within the said Parish shall sweep, scrape, and clean the Footway before their respective Houses, Buildings, and Walls, or cause the same to be done, every Day between the Hours of Six and Nine in the Morning (Sundays excepted) upon Pain of forfeiting, for every such Neglect, the Sum of Five Shillings.

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

XXXII. And be it further enacted, That the said Commissioners may from Time to Time direct and regulate all Stands of Hackney Coaches and Hackney Chairs within the said Parish, in such Manner as they shall in their Discretion think proper, and if any Hackney Coachman or Hackney Chairman shall not comply with such Directions and Regulations, he or they shall for each Offence forfeit the Sum of Twenty Shillings.

Property of Pavement, &c. vested in Commissioners.

XXXIII. And be it further enacted, That the Property of the present and future Pavements, Posts, Bars, Steps, and other Materials, of the Streets, Rows, Lanes, and Places to be paved or repaired by virtue of this Act, and of all Utensils and Things which shall be provided at the Expence of the said Commissioners, and made use of for any the Purposes of this Act, shall, from and immediately after the Commencement of this Act, be and the same is hereby vested in the said Commissioners,

Commissioners, and they are hereby authorized and impowered to bring or cause to be brought, in the Names of any Two or more of them, any Action or Actions, or to prefer, order and direct the preferring of Indictments against any Person or Persons who shall injure or destroy, steal, take, or carry away any or any Part thereof, or if any Person or Persons shall wilfully or maliciously break up or otherwise damage or spoil any of the Works done or carrying on in pursuance of this Act, or any Part or Parts thereof, every Person so offending therein respectively, and being thereof convicted by the Oath of a Witness or Witnesses before any Justice or Justices of the Peace for the County of Middlesex, shall, for the First Offence, forfeit any Sum not exceeding Forty Shillings nor less than Ten Shillings, for the Second and every other Offence, any Sum not exceeding Three Pounds nor less than Twenty Shillings, to be levied and recovered by Distress and Sale of the Goods and Chattels of every such Offender, by Warrant under the Hand and Seal or Hands and Seals of the Justice or Justices before whom such Conviction shall be made, which Forfeiture shall be applied to the respective Purposes of this Act; and in case the Person or Persons so offending and convicted shall have no Goods or Chattels, or none such can be found whereon the same can be levied, then and in such Case such Justice or Justices shall, by Warrant under his or their Hand and Seal, or Hands and Seals, 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 committed shall not be discharged until he, she, or they shall have paid the Sum forfeited as aforesaid, or until the Expiration of the Time for which he, she, or they shall have been so committed.

XXXIV. Provided always, That nothing in this Act contained shall be construed to extend to remove or take away the Turnpike Gate now erected in Old Cock Lane, on the East Side of the Road opening into Shoreditch, nor certain Posts, Bars, and Rails fixed and set up in Turville Street, Old Nichol Street, and Old Cock Lane, Shoreditch, and near and adjoining to the Turnpike Gate in Bethnal Green Road, to prevent Carriages and Horses from evading the Tolls payable at the said Turnpike Gates, but that it shall and may be lawful for the Trustees appointed by or in pursuance of the said recited Acts to erect and continue erected the said Turnpike Gates,

and the said Posts, Bars, and Rails, or such other Posts, Bars, and Rails as they may think necessary and proper, in the said Streets called Turville Street, Old Nichol Street, Old Cock Lane, Shoreditch, and Bethnal Green Road, to prevent Persons passing with Horses and Carriages from evading the Tolls due and payable at the said Turnpike Gates.

Old Materials may be sold or used.

XXXV. And be it further enacted, That the said Commissioners may, and they are hereby authorized to sell or dispose of all Stones and Posts, and all or any of the Materials which shall belong to the old Pavement, as well of the Carriage as of the Footways to be paved or repaired by virtue of this Act, and to apply the Purchase Money arising by such Sale to the respective Purposes of this Act, or the said Commissioners may cause the same Stones, Posts, or other Materials to be made use of and worked up for the Use of any of the Places required to be paved or repaired under and by virtue of this Act.

Things projecting, &c. to be removed.

XXXVI. And be it further enacted, That the said Commissioners shall and may cause all Trees, Signs, Sign Posts, Sign Irons, Dyers Racks, Dyers, Scowerers, and Barbers Poles, and all Porches, Penthouses, Boards, Spouts, and Gutters projecting into or over the Highways or Footways, and all other Incroachments, Projections, or Annoyances whatsoever within the Streets, Rows, Lanes, Courts, Yards, Alleys, Passages, and Places to be paved or repaired by virtue of this Act, to be taken down and removed, and

Signs, &c. how to be affixed.

shall cause all Signs, Boards, and Gutters to be affixed and placed close to or on the Fronts of the Houses, Shops, Warehouses, or Buildings whereunto they respectively belong, or on such Part of the said Warehouses or Buildings as the said Commissioners shall think proper and convenient, the Expences whereof shall be paid out of the Money to be raised by virtue of this Act, and shall return to the respective Owners all or so much of such Signs, Sign Posts, Poles, Sign Irons, Boards, Spouts, and Gutters, as shall not be affixed or put up, or otherwise made use of in the Alterations directed by the said Commissioners in pursuance of this Act; and that for the future all Signs, Sign Boards, and Gutters, shall be placed and fixed close to or on the Fronts of the Houses, Shops, Warehouses, or Buildings to which they respectively belong, and not otherwise; and if any Person or Persons shall at any Time hereafter hang, place, or erect any Sign, Sign Post or other Post, Sign Iron, Pole, Porch, Penthouse, Board,

Spout, Gutter, or other Projection, Obstruction, or Annoyance whatsoever, or cause the same to be done contrary to the Directions aforesaid, and the true Intent and Meaning of this Act, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings.

To prevent Accidents by Areas, Cellars, &c. not being secured.

XXXVII. And be it further enacted, That if any Area or Cellar shall be left open, uncovered, or unsecured, or any Area, or Cellar Door or Window, or any Kirb or Flap, Grates or Bars, of or belonging to any Area or Cellar, or Area or Cellar Door or Window, within any of the Streets or Places already paved or repaired, or hereafter to be paved or repaired, in pursuance of this Act, shall be worn out, decayed, or out of Repair, or shall be laid, placed, or fixed in an improper Manner, so as to render the passing and repassing of Persons along the said Streets and Places, or any of them, dangerous or unsafe, or inconvenient, then and in every such Case it shall be lawful for the said Commissioners, or their Surveyor, or any other Person employed by them respectively, to give or leave Notice in Writing at the House or Premises to which such Area or Cellar belongs, to and for the Tenant or Tenants, Occupier or Occupiers thereof, to cover in, secure, alter, repair, and amend, or cause the same to be covered in, secured, altered, repaired, and amended, in a good and substantial Manner, within the Space of Twenty-four Hours next after every such Notice so given or left as aforesaid, within which said Space of Time, it shall be lawful for such Tenant or Tenants, Occupier or Occupiers as aforesaid, and he, she, or they is and are hereby required and authorized to cause the same to be done accordingly, and to deduct and retain the reasonable Costs and Charges thereof out of his, her, or their respective Rent or Rents, and the Owner or Owners of such Premises, or Person or Persons in the Perception of the Rents and Profits thereof, is and are hereby required to allow such Deduction and Payment, upon Receipt of the Residue of his, her, or their respective Rents, and the said Tenant or Tenants, Occupier or Occupiers, shall be and is and are hereby acquitted and discharged of and from so much of his, her, or their Rent or Rents, as the Money so paid by him, her, or them as aforesaid shall amount unto; and in case such Tenant or Tenants, Occupier or Occupiers shall (after such Notice as aforesaid) refuse, neglect, or omit to cover in, secure, alter, repair, or amend the same, or to cause the same to be so done in a good and substantial Manner as aforesaid, it shall be lawful

lawful for the said Commissioners, or their Surveyor, to cause the same to be so covered in, secured, altered, repaired, and amended, and to charge such Tenant or Tenants, Occupier or Occupiers, with the whole Expence thereof, who is and are hereby required and authorized to pay the same to the said Commissioners, or their Surveyor, upon Demand, and to deduct the same out of his, her, or their Rent or Rents as aforesaid, and the Landlord or Landlords, Owner or Owners, or Person or Persons in the Perception of the Rents and Profits of such Premises, is and are hereby required to allow such Deduction as aforesaid; and in case such Tenant or Tenants, Occupier or Occupiers, shall upon such Demand made by the said Commissioners, or their Surveyor as aforesaid, refuse, neglect, or omit to pay the same, that then and in such Case it shall and may be lawful for any One or more of His Majesty's Justices of the Peace for the said County, by Warrant under his or their Hands and Seals, to levy the same by Distress and Sale of the Goods and Chattels of the Person or Persons so refusing or neglecting to pay the same (Proof upon Oath having been first made before him or them of such Work having been done, and of the Amount of the Expence of doing the same, and of such Neglect or Refusal to pay the Charges thereof as aforesaid); and in case such House and Premises shall be empty or unoccupied, then and in such Case the same shall remain a Charge upon the Premises, and shall be paid by the First Tenant or Occupier thereof (who shall and may, and is hereby authorized to deduct the same out of his, her, or their Rent, in Manner as aforesaid) or by the Owner or Owners, Proprietor or Proprietors of such House and Premises; and in case of his, her, or their Refusal to pay the same, that then it shall be lawful for any One or more Justice or Justices of the Peace as aforesaid, to levy the same by Distress and Sale of his, her, or their Goods and Chattels, in Manner as herein-before mentioned.

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

XXXVIII. And be it further enacted, That the said Commissioners shall and may cause to be painted, engraved, or described in Stone or Wood, or otherwise, and to be affixed in a conspicuous Part of and upon One or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance, or other Part of each of the aforesaid Streets, Lanes, Courts, Yards, Alleys, Passages, and Places, the Name by which each respective Street, Row, Lane, Court, Yard, Alley, Passage, and Place, is properly or usually called or known, or shall hereafter be called or known; and may

also cause every House, Shop, or Warehouse in each of the said Streets and Places to be marked and numbered in such Manner as they shall judge most proper for distinguishing the same; and if any Person or Persons shall wilfully destroy, pull down, injure, obliterate, or deface any such Names, Descriptions, Marks, or Numbers, or any Part or Parts thereof, or cause or procure the same to be done, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, nor less than Ten Shillings.

Penalty on slaughtering Cattle in the Streets, &c.

XXXIX. And be it further enacted, That if any Person or Persons shall, from and after the Commencement of this Act, kill, slaughter, singe, scald, dress, or cut any Beast, Swine, Calf, Sheep, or other Cattle, or cause the same to be killed, slaughtered, singed, scalded, dressed, or cut, in any of the Streets, or other publick Passages or Places within the said Parish of Saint Matthew Bethnal Green, or shall keep or suffer to run at large any Swine within any of the Streets or Places to be paved or repaired by virtue of this Act, every Person so offending in any of the Matters aforesaid shall, for the First Offence, forfeit and pay a Sum not exceeding Forty Shillings nor less than Ten Shillings, and for the Second and every other Offence the Sum of Five Pounds.

Cattle suffered to wander about the Parish may be impounded.

XL. And be it further enacted, That if any Cattle, Beast, or Swine, be found wandering about any of the Streets or publick Places within the said Parish, it shall be lawful for any of the Occupiers of Houses therein, or any Person or Persons employed by them, or by the said Commissioners, to drive such Cattle, Beasts, or Swine into some Place of Security within the said Parish, and the same to detain until the Sum of Five Shillings for each and every such Cattle, Beast, or Swine, and the Expences of taking, keeping, and detaining the same, shall be fully paid and satisfied; and in case such Penalty and Expence shall not be paid within the Space of Three Days after such taking thereof, it shall be lawful for the said Commissioners, or their Clerk or Surveyor, or other Person or Persons to be employed by them for that Purpose, to cause such Cattle, Beasts, or Swine to be publickly sold, and the Money arising from such Sale, after deducting the Penalty and Expences of impounding and selling as aforesaid, shall be employed for the Purposes of this Act.

Penalty on laying Bricks or other Materials in the Streets;

XLI. And be it further enacted, That if any Person or Persons shall, after the Commencement of this Act, set or place, or cause to be set or placed, in any of the Carriage Ways or Foot Ways within any of the Streets

or Places to be paved or repaired by virtue of this Act, any Bricks, Lime, Sand, Mortar, or Rubbish, or any Materials or other Things for the Purpose of making Mortar, or of building any House, Shop, Warehouse, Storehouse, Coach House, Stable, or other Tenement or Building, or for any other Purpose, unless the same shall be inclosed in a Board or other Erection as herein-after directed, or shall sift, screen, or slack any Lime (not being inclosed as aforesaid), or shall set, place, or roll any Cask, or hoop, cleanse, wash, or scald any Cask, or hew, saw, or cut, or cause to be hewn, sawn, or cut, any Stone, Wood or Timber, or bind, make, or repair any Wheel, or shoe, bleed, cleanse, or dress any Horse, or shall throw or cast any Dung, Ashes, Dirt, or Rubbish into or upon any of the Foot Ways or Carriage Ways within any of the Streets or Places to be paved or repaired by virtue of this Act, or shall throw at Oranges, or at any Cock, Pigeon, or Fowl, or set up any Oranges, or any Cock, Pigeon, or Fowl to be thrown at, or shall make or assist in making of any Fire or Fires commonly called Bonfires, or shall set fire to, or let off or throw any Squib, Serpent, Rocket, or Fireworks whatsoever, in any of the Foot Ways or Carriage Ways, or shall set, place, or expose to Sale, or cause, or permit, or suffer, or give Leave or Licence to be set, placed, or exposed to Sale, any Wood, Coals, Roots, Greens, Fruit, Fish, Flesh, Fowl, Household or other Goods, Chattels, Wares, or Merchandizes whatsoever, or shall set or place, or cause to be set or placed, any Blocks, Forms, Stools, Benches, or Stalls, in or upon such Foot or Carriage Ways, or any of them, or shall hang up any Beast, Swine, Sheep, Calf, or other Cattle, in or near such Foot or Carriage Way, so as to obstruct, or incommode the Passage of any such Foot Way or Carriage Way, every Person so offending in either of the said Cases shall, for the First Offence, forfeit and pay the Sum of Twenty Shillings, and for the Second and every other Offence the Sum of Forty Shillings, over and above such Penalties as are or may be inflicted for or upon any of the said Offences by any other Law or Statute.

or exposing Things to Sale in the Carriage or Foot Ways;

or hanging up Beasts or other Cattle, so as to incommode the Passage of any Foot Way.

Penalty for driving Carriages, &c. on the Foot Ways;

XLII. And be it further enacted, That if any Person or Persons shall at any Time or Times hereafter run, drive, draw, or place, or cause to be run, driven, drawn, or placed on any of the Foot Pavements within either or any of the Streets or Places to be paved or repaired by virtue of this Act, any Coach, Cart, Waggon, Dray, Wheel Sledge, Truck, Wheelbarrow, or other Carriage whatsoever, or shall wilfully ride, lead, drive, or place any Horse, Ass, or other Cattle, upon any Part of such Foot

Pavement, or shall set, place, or leave, or cause to be set, placed, or left, in any of the Carriage Ways within either of the said Streets or Places, any Coach, Cart, Waggon, Dray, Wheel, Sledge, Truck, Wheelbarrow, or other Carriage, with or without Horses, other than for the necessary loading or unloading thereof, or shall put, place, or leave any Timber, Bricks, Stones, Slates, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Casks, Goods, Wares, Merchandizes, Materials, or Things whatsoever, in any of the said Carriage or Foot Ways, longer than shall be necessary for the housing or removing the same; then and in such Case the Owner or Owners of every such Coach, Cart, Waggon, Dray, Wheel, Sledge, Truck, Wheelbarrow, or other Carriage, or of every such Horse, Ass, or other Cattle, or of such Timber, Bricks, Stones, Slates, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Casks, Goods, Wares, Merchandizes, Materials, or Things, shall for every such Offence forfeit and pay the Sum of Twenty Shillings, and the same shall moreover be deemed Nuisances, and any One of the said Commissioners, or any One of their Officers, or any other Person, with or without a Peace Officer or other Person present, shall and may, either in the Day or by Night, seize or cause to be seized any such Coach, Cart, Waggon, Dray, Wheel, Sledge, Truck, Wheelbarrow, or other Carriage, or any such Horse, Ass, or other Cattle, so run, driven, led, or drawn, or placed, or any Timber, Bricks, Stones, Slates, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Casks, Goods, Wares, Merchandizes, Materials, or Things so laid or placed as aforesaid, and drive or remove, or cause the same to be driven or removed, to some Place of Safety within the Parish of Saint Matthew Bethnal Green, until the Owner or Owners thereof, or his, her, or their known Servant or Servants, shall claim the same, and shall pay to the Person or Persons in whose Custody the same shall be the Sum of Twenty Shillings, together with the Charges of removing the same, and of keeping any such Horse or Ass; and in case the same shall not be claimed, and the Sum of Twenty Shillings, and such Charges paid within the Space of Five Days next after such Seizure thereof, it shall be lawful for the said Commissioners to cause the same to be sold and disposed of, and to apply the Money arising therefrom to the Uses and Purposes of this Act.

and on leaving Carriages in any Part of the Streets;

or Timber and other Things.

XLIII. Provided always, That if any Coach, Cart, Waggon, Dray, Truck, Wheel, Sledge, Wheelbarrow, or other Carriage, shall be so placed, or suffered to stand

In case Carriages, &c. are not secured by virtue of this

or

Act, the Owner nevertheless to forfeit 20s.

or continue as aforesaid, or any Horse, Ass, or Cattle, shall be so driven or led, or any Timber, Bricks, Stones, Slates, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Casks, Goods, Wares, Merchandizes, Materials, or Things, shall be so laid or placed as aforesaid in or upon the said Carriage or Foot Ways, or any of them, and the same shall not be seized or impounded as aforesaid, the Owner or Owners of such Coach, Cart, Waggon, Dray, Truck, Wheel, Sledge, Wheelbarrow, or Carriage, or of such Horse, Ass, or Cattle, or of such Timber, Bricks, Stones, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Casks, Goods, Wares, Merchandizes, Materials, and Things, shall nevertheless forfeit and pay for every such Offence the Sum of Twenty Shillings.

Hoards not to be set up without Leave.

XLIV. And be it further enacted, That no Person or Persons whatsoever shall erect, build, or set up, or cause to be erected, built, or set up, any Hoard by way of Inclosure, or any Scaffold, or any Posts, Bars, Rails, Boards, or any other Materials, or Thing or Things for building or repairing any House, Tenement, or other Works, or for any other Purpose whatsoever, within the Streets or Places to be paved or repaired by virtue of this Act, or any of them, without Leave or Licence first had and obtained under the Hands of Two of the said Commissioners, or their Surveyor or Surveyors, and the said Commissioners, or their Surveyor or Surveyors, is and are hereby required to grant the same forthwith, without Fee or Reward, and without waiting for a General Meeting for that Purpose, to every Person so applying for such Licence; and no Person whatsoever shall erect, build, or set up any such Scaffold, Hoard, or Inclosure as aforesaid, in any other Manner, or suffer the same to remain for any longer Time than shall be allowed or expressed in such Licence, to be signed as aforesaid, nor without a Light being placed thereto in the Night Time, upon Pain of forfeiting any Sum not exceeding Twenty Shillings nor less than Ten Shillings for every Twenty-four Hours that the same or any Part thereof shall be continued contrary to the Directions of this Act.

On what Occasion Commissioners may order Hoards to be removed.

XLV. Provided always, That if any such Hoard, Inclosure, or Scaffold, or any Posts, Bars, Rails, Boards, or other Materials, Thing or Things, for building or repairing, or any other Purpose whatever as aforesaid, shall be so erected, built, or set up, without the Leave or Licence of the said Commissioners, or their Surveyor or Surveyors, so had and obtained, and signed as aforesaid,

or shall be put up in any other Manner, or be continued for any longer Time than shall be allowed and expressed in such Licence, and the Owner or Proprietor thereof cannot be found, then and in either of the said Cases it shall be lawful for the said Commissioners to cause the same to be taken down and removed, and the Materials thereof to be deposited in some proper Place within the said Parish of Saint Matthew Bethnal Green, there to be kept and detained until the Owner or Owners thereof, or his, her, or their known Servant or Servants, shall and do pay to the Treasurer for the Time being to the said Commissioners the said Penalty, together with the Costs and Charges of removing and detaining the same; and in case the same shall not be claimed, and the said Penalty and Charges paid within the Space of Five Days next after such taking down and removing thereof, then it shall and may be lawful for the said Commissioners to order the same to be sold and disposed of, and the Money arising therefrom to be applied to the Purposes of this Act.

No Person to take away the Dust, &c. but the Scavenger contracted with, under a Penalty.

XLVI. And be it further enacted, That, from and after the Commencement of this Act, if any Person or Persons, other than the Scavenger or Scavengers, Cleanser or Cleansers of the open Places, Streets, and other Passages within the said Parish of Saint Matthew Bethnal Green (lawfully appointed by the Trustees for that Purpose), shall go about, with or without Horses, Carts, or other Carriages, within the said Parish of Saint Matthew Bethnal Green, for the Purpose of collecting or receiving any Dust, Ashes, or Cinders, or shall receive, or take, or carry away any Dust, Ashes, or Cinders, from or out of any Street or Place within the said Parish, or any House or Premises therein, without first obtaining a Licence for that Purpose, under the Hands of Nine or more of the said Commissioners, at a publick Meeting held under the Authority of this Act (except the Owner or Owners of such Dust, Ashes, or Cinders, who may remove the same for his, her, or their own private Use, and not for Sale), then and in every such Case it shall and may be lawful for any Person or Persons whatsoever, who shall see such Offence committed, to apprehend, and also for any other Person or Persons to assist in apprehending the Offender or Offenders, by the Authority of this Act, and without any Warrant to convey and deliver him or them into Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said County of Middlesex, and every Person or Persons so offending shall, for the First Offence, forfeit and

pay the Sum of Ten Shillings, and for the Second and every other Offence the Sum of Twenty Shillings, One Moiety whereof shall be paid to the Person or Persons apprehending such Offender or Offenders; and in case the said Penalties be not immediately paid, or Security given for the Payment thereof to the Satisfaction of the Justice before whom such Offender or Offenders shall be convicted, such Offender or Offenders shall be committed by such Justice to the House of Correction, or other Gaol, for the said County of Middlesex, for any Time not exceeding Fourteen Days, nor less than Ten Days.

If the Offenders cannot be apprehended, the Owners of the Carts to pay the Penalty.

XLVII. Provided always, That in case the Person or Persons so offending cannot be apprehended, then the Owner or Owners of the Cart or Carriage in which such Dust, Ashes, or Cinders shall be put or placed, in order to be carried away, or of any Horse or Beast carrying away the same, shall forfeit and pay the like Penalty of Ten Shillings for the First Offence, and for the Second and every other Offence the like Penalty of Twenty Shillings.

Penalty on carting or carrying away Slop, *etc.* other than in covered Carts.

XLVIII. And be it further enacted, That if any Person or Persons shall drive or cause to be driven any Cart or other Carriage with any Soap Lees, Slop, Filth, or Channel Mire or Dirt therein, through or in any of the Streets or Places to be paved or repaired by virtue of this Act, without such Cart or other Carriage having a proper Covering to prevent the same from slopping or spilling in any of the said Streets, or shall fill any such covered Cart or other Carriage so as to run over, or cast any Soap Lees, Slop, Mire, or Channel Dirt or Filth, in or upon any of the said Streets or Places to be paved or repaired as aforesaid, it shall and may be lawful for any Person or Persons whatsoever, who shall see such Offence committed, to seize and apprehend, and also for any other Person to assist in taking and apprehending the Offender or Offenders, and he or they is and are hereby authorized so to do, without any Warrant, and to convey and deliver him or them into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said County, and every Person so offending shall, for the First Offence, forfeit and pay the Sum of Twenty Shillings, and for the Second and every other Offence the Sum of Forty Shillings; and in case the said Penalties be not immediately paid, or Security given for the Payment thereof, to the Satisfaction of the Justice before whom such Offender or Offenders shall be convicted, such

Offender or Offenders shall be committed by any such Justice to the House of Correction, for any Time not exceeding Fourteen Days, nor less than Seven Days.

XLIX. Provided always, That in case the Person or Persons so offending cannot be apprehended, then the Owner or Owners of such Cart or Carriage in which such Sope Lees, Slop, Filth, Mire, or Channel Dirt shall be put or placed, shall forfeit and pay the like Penalty of Twenty Shillings for the First Offence, and for the Second and every other Offence the Penalty of Forty Shillings.

Times of emptying Bog Houses, *etc.*

L. And be it further enacted, That if any Person or Persons whatsoever shall come with any Cart or Carts, and begin to empty any Bog House or Bog Houses, or to take away any Night Soil from any House or Houses, within the said Parish, before the Hour of Twelve of the Clock in the Night, or shall continue to take away the same after the Hour of Five of the Clock in the Morning, from Michaelmas to Lady Day, or after the Hour of Four of the Clock in the Morning, from Lady Day to Michaelmas; or if any Person shall put or cast, or cause to be put or cast, out of any Cart, Tub, or otherwise, in or near any of the Streets, Lanes, Courts, Yards, Alleys, Passages, or Places within the said Parish, or within half a Mile thereof, any such Night Soil, it shall and may be lawful to and for every Constable, Beadle, or Watchman (and they are hereby strictly required and directed so to do), or any other Person or Persons whatsoever, to apprehend and carry him or them guilty of either of the said Offences to either of the Watch-houses of the said Parish of Saint Matthew Bethnal Green, and from thence, as soon as conveniently may be, before some Justice of the Peace for the said County, who, upon Oath made of such Offence or Offences as aforesaid, shall and may commit such Person or Persons guilty of any of the said Offences to the House of Correction for the said County for any Time not exceeding One Month, nor less than Seven Days, there to be kept to hard Labour; and it shall be lawful for the said Commissioners, and they are hereby required to order any Sum not exceeding Twenty Shillings, nor less than Ten Shillings, to be paid to the Person who shall detect, apprehend, and convey before any such Justice of the Peace any such Person or Persons guilty as aforesaid, to be paid out of the Monies to be raised by virtue of this Act.

Rates for Paving, *&c.*

LI. And be it further enacted, That, from and after the Twenty-fourth Day of June One thousand seven hundred

dred and ninety-three, the said Commissioners, or any Nine or more of them, shall and may make a Rate, and assess any Ground, Land, House, Shop, Warehouse, Coach House, Stable, Cellar, Vault, Building, Tenement, and Hereditament in any of the Streets, Rows, Lanes, or other Passages or Places authorized to be paved or repaired by virtue of this Act, or any Part or Parts thereof respectively, or in any of the Courts, Yards, Alleys, Passages, and Places opening into or communicating with the same, in the said Parish of Saint Matthew Bethnal Green, except the Passages and Places opening into Bethnal Green Road from the Turnpike to the Sign of the Salmon and Ball, on Bethnal Green aforesaid, and Once in every Year, or oftener if Occasion shall require, make, lay, and assess upon all and every Person and Persons who do and shall inhabit, hold, use, occupy, possess, or enjoy any Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, or Hereditament within or communicating with such Street, Road, Row, Lane, Court, Yard, Alley, Passage, or Place respectively, except as before excepted, any Sum not exceeding Sixpence in the Pound in any One Year of the yearly Rent or Value of such Lands, Grounds, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, and Hereditaments respectively, and so in Proportion for any less Time than a Year; all which said Streets, Rows, Lanes, and other Passages and Places so to be rated and assessed shall, from and after the Commencement of this Act, be under the Care and Management of the said Commissioners, and by them from Time to Time amended and repaired.

Rates when Streets are repaired.

LII. And be it further enacted, That when and as soon as the said Commissioners shall have caused any of the Streets, Rows, Lanes, or other Places authorized to be paved or repaired by virtue of this Act, or any Part or Parts thereof respectively, or any of the Courts, Yards, Alleys, Passages, and Places opening into or communicating with the same, to be new paved, it shall and may be lawful for the said Commissioners, or any Nine or more of them, as soon as conveniently may be, Once or oftener in every Year if Occasion shall require, to make, lay, and assess upon all and every Person and Persons who do and shall inhabit, hold, use, occupy, possess, or enjoy any Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, and Hereditament within such Street, Road, Row, Lane, Court, Yard, Alley, and Place respectively, as

far as such Pavement shall extend, any Sum not exceeding One Shilling in the Pound in any One Year of the yearly Rent or yearly Value of such Lands, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, and Hereditaments respectively, and so in Proportion for any less Time than a Year.

Certain Houses abutting upon Streets to be paved to pay Half Rate.

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

Houses let out in Tenements, how to be rated.

LIV. And whereas many Houses within the said Streets, Rows, Lanes, Courts, Alleys, Yards, Passages, or Places, are by the several Owners or Proprietors thereof let out in Lodgings or Tenements to divers Tenants, or let at or under or after the Rate of Six Pounds by the Year, or in Proportion for any less Time than a Year, to One or more Tenant or Tenants, whereby it will be difficult to rate the same, or to recover such Rates and Assessments when made; for Remedy whereof, be it further enacted, That it shall and may be lawful for the said Commissioners, or any Seven or more of them, from Time to Time, and at all Times, to rate and assess the Owner or Owners, Lessee or Lessees, of such Houses or Tenements as shall be let to or occupied by Two or more Tenants, or let at or under or after the Rate of Six Pounds by the Year, or in

Proportion for any less Time than a Year, to One or more Tenant or 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 or Tenements; 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 or Assessment shall be levied by Distress and Sale of the Goods of him, her, or them so refusing to pay the same, or of any other Goods or Chattels on the Premises, and such Occupier or Occupiers of such Houses and Tenements respectively is and 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 of such Houses in pursuance of this Act, and to deduct the same out of their Rent, and the Owner or Owners, Proprietor or Proprietors thereof are hereby required to allow such Deductions and Payments, upon the Receipt of the Residue of their Rents; and every such Tenant paying such Rate or Rates, Assessment or Assessments, shall be acquitted and discharged of and from so much Money as the said Rate or Rates, Assessment or Assessments shall amount unto, as if the same had been actually paid to such Person or Persons to whom his, her, or their Rents would have been or shall be due and payable, and in Default of Payment of the said Rate or Rates, Assessment or Assessments, the same shall be and remain a Charge upon the said Premises, and shall and may be recovered of and from the Owner or Owners, Proprietor or Proprietors thereof, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, or in any Court for the Recovery of Small Debts within the Tower Hamlets, to be commenced and prosecuted by the said Commissioners in the Name of their Treasurer, Clerk, or Collector for the Time being, in which Action or Suit no Protection or Essoin, or Wager of Law, nor more than One Imparlance, shall be allowed.

Power to compound.

LV. Provided always, and be it further enacted, That it shall and may be lawful for the said Commissioners, or any Seven or more of them, from Time to Time to compound with the Owner or Owners, Proprietor or Proprietors of any such divided Houses or Tenements, for the Rate by this Act authorized to be paid upon such divided Houses or Tenements, so as in such Composition there be not remitted to any such Owner or Owners, Proprietor or Proprietors respectively, more than One Half of the Rate or Assessment by this Act laid upon such Houses or Tenements respectively.

LVI. And

LVI. And be it further enacted, That where any of the Lands, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, shall, at the Time of making any of the said Rates or Assessments for the Purposes of paving or repairing, be empty, untenanted, or unoccupied, then and in every such Case it shall be lawful for the said Commissioners, or any Seven or more of them, to rate and assess such Premises respectively at One Half of such Rates or Assessments, during the Time only that such Premises shall be empty, untenanted, or unoccupied, and also in case any such Premises, after the making such Rate or Rates, Assessment or Assessments, shall become empty, untenanted, or unoccupied, One Half only of such Rate or Assessment shall be charged on such Premises respectively, for and during so long a Time as the same shall continue empty, untenanted, and unoccupied, and then and in any of the said Cases the said Rate or Rates, Assessment or Assessments, and all Arrears thereon, shall be paid by the Owner or Owners, Proprietor or Proprietors, Lessee or Lessees, or by the First or any other Tenant or Occupier thereof, in which last Case the Tenant or Tenants, Occupier or Occupiers, shall and may and is and are hereby authorized to deduct and retain the same out of his, her, or their Rent or Rents respectively, and the Landlord or Landlords, Owner or Owners of such Premises is and are hereby required to allow such Deduction and Payment upon Receipt of the Residue of his, her, or their respective Rents; and the said Tenant or Tenants, Occupier or Occupiers, shall be and is and are hereby acquitted and discharged of and from so much of his, her, or their Rent as the Rate or Rates, Assessment or Assessments, and all Arrears due thereon, and so paid by him, her, or them, shall amount unto. Empty Houses, &c. how to be rated.

LVII. And, forasmuch as it is reasonable that all publick Buildings, and all dead Walls and void Spaces of Ground should be rated and assessed in a due Proportion towards the paving or repairing to be done by virtue of this Act, it is hereby further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, at their Discretion, and they are hereby required from Time to Time to rate and assess, for the Purposes of paving or repairing, all Parish Churches, Parochial and other Chapels, French Churches or Chapels, Meeting Houses, Schools, dead Walls, Warehouses, and other publick Buildings whatsoever, (charged or not charged to the Land Tax), situate, standing, lying, and being in any Street or Place paved or repaired by virtue of Publick Buildings, &c. to be rated.

of this Act, which now is or hereafter may be built or in building, at a Rate not exceeding One Shilling in the Pound, according to the clear yearly Income arising from such Parish Church, Parochial and other Chapels, French Churches or Chapels, Meeting Houses, Schools, and Warehouses, and other publick Buildings respectively, and where there is not any such clear yearly Income, or the same cannot be fully ascertained, then and in either of the said Cases the same shall be charged and assessed at a Rate not exceeding Sixpence per Square Yard, in any one Year, of the Pavement paved under the Direction of the said Commissioners, and belonging or joining to the Front or Sides of such Parish Church, Parochial or other Chapel, French Church or Chapel, Meeting House, School, Warehouse, or other publick Building; and the said Commissioners, or any Seven or more of them, shall also, at their Discretion, yearly or oftener if needful, assess all Church Yards, dead Walls, and void Spaces of Ground, and which are not charged in respect of any Dwelling House or other Building by the Pound Rate or otherwise, by virtue of this Act, so that in the Whole such Rate or Assessment shall not in any One Year exceed the Sum of Sixpence for every Square Yard of Pavement paved or repaired under the Direction of the said Commissioners situate as aforesaid, or belonging to or lying before such Yards, dead Walls, or void Spaces of Ground; and the said Rate or Rates, Assessment or Assessments, and the Rates or Assessments made for such Parish Church, Church Yards, and Parochial Chapels, shall be paid by the Churchwardens or Chapelwardens respectively out of any of the Monies payable to and received by the said Churchwardens or Chapelwardens respectively, either for Seats in the said Church or Chapel, or for Burial Fees; and the Rate or Rates, Assessment or Assessments to be made and paid for any French Chapel or Church, or other Chapel or Meeting House, shall be paid by the Ministers, the Elders, or Deacons thereof; and the Rates or Assessments for any School, Warehouse, or other publick Building, dead Wall, or void Space of Ground, shall be paid by the respective Owner or Owners, Proprietor or Proprietors thereof.

Unfinished Houses, &c. to be rated.

LVIII. And whereas there are or may be several Houses or other Buildings, within the Limits for paving or repairing by virtue of this Act, begun to be built, but are not yet finished or fit for Habitation; and for as much as it is reasonable that such Houses and Buildings shall be rated and assessed for the Purposes of paving or repairing, be it therefore enacted, That until such Houses

or other Buildings which now are or hereafter may be built or in building, shall be finished or fit for Habitation, if the Street, Row, or Lane, or other Place wherein such House or other Building shall be situate, shall be paved or repaired by virtue and in pursuance of this Act, it shall be lawful for such Commissioners as aforesaid, or any Seven or more of them, and they are hereby required and directed to rate and assess according to their Discretion, all such Houses and other Buildings, and which are or shall be erected and covered in, at a Rate not exceeding Sixpence for every Square Yard of Ground paved or repaired, or to be paved or repaired by virtue of this Act, and belonging to the Fronts or Sides of such Houses or other Buildings; and for all Houses and other Buildings which are or shall be erecting and not covered in, at a Rate not exceeding Three-pence for every Square Yard of Ground paved or repaired, or to be paved or repaired by virtue of this Act, and belonging to the Fronts or Sides of such Houses and other Buildings, until the same shall be covered in as aforesaid, and then at a Rate not exceeding One Shilling for every Square Yard, until the same shall be let or occupied; which Rates or Assessments shall be paid by and recoverable from the Proprietor or Proprietors, Lessee or Lessees, Owner or Owners of such House or Houses, Building or Buildings respectively, and shall be charged and chargeable on the said Premisses; and if the said Owner or Owners, Proprietor or Proprietors, Lessee or Lessees, shall refuse or neglect to pay the same upon Demand, then and in every such Case such Rate or Rates, Assessment or Assessments, and all Arrears due thereon, shall and may be levied on the Goods and Chattels of the Person or Persons so required to pay the same in Manner herein-after directed; and in case the Owner or Owners, Proprietor or Proprietors, Lessee or Lessees of such House or Houses, Building or Buildings, shall not be known, or cannot be found, or shall be under Commission of Bankruptcy, then the said Rate or Rates, Assessment or Assessments made thereon, shall be and remain charged and chargeable on the said Premisses, until the Owner or Owners, Proprietor or Proprietors, Lessee or Lessees can be found, or until Assignees, in case of Bankruptcy, are appointed, when the same, and all Arrears due thereon, shall be levied on the Goods and Chattels of such Owner or Owners, Proprietor or Proprietors, or Lessee or Lessees, or upon the Goods and Chattels of such Assignee or Assignees, who is and are hereby made liable to pay the same, or upon the said Premisses, in like Manner as

By whom payable.

other Rates made by virtue of this Act are made recoverable.

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

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

Directing how Rates are to be recovered in Cases of Death or Insolvency.

LX. And be it further enacted by the Authority aforesaid, That in case any Person or Persons who shall or may be rated or assessed by virtue of this Act, shall die or become Bankrupt or Insolvent, or in case any Distress shall be made for Rent, or any Writ of Execution, or other Process shall issue or be levied upon, or any Possession shall be had or taken of his, her, or their Goods or Chattels, by virtue of or under any Bill of Sale, that then the Assignee or Assignees, Trustee or Trustees, Executor or Executors, Administrator or Administrators of the Estate and Effects of such Bankrupt, Insolvent, Testator, or Intestate, as the Case may be, and also the Person or Persons who shall make such Distress, or issue or levy such Execution or other Process, or be in Possession by virtue of or under any such Bill of Sale as aforesaid, shall and may, and is and are hereby authorized and required, to pay out of the Monies which shall come to his, her or their Hands, by any of the Means aforesaid, all and every Sum and Sums of Money which shall be then due on the said Rates or Assessments, upon Demand made by the Collector or Collectors thereof, in preference to, and before any other Monies whatsoever; and in case any such Assignee, Trustee, Executor, Administrator, or other Person or Persons possessed of such Goods and Chattels by any of the Means aforesaid, shall not pay the same upon Demand made as aforesaid, that then it shall and may be lawful to and for such Collector or Collectors of the said Rates and Assessments, to levy the same on the said Goods and Chattels, in Manner as by this Act is directed, notwithstanding any such Death, Bankruptcy, Insolvency, Distress for Rent, Writ of Execution, or other Process, or Bill of Sale as aforesaid.

Clerks to make Entries of Rates.

LXI. And be it further enacted, That the Clerk or Clerks for the Time being to the said Commissioners shall, and he and they is and are hereby required to make proper Entries, in a Book or Books to be kept for that Purpose, of all and singular the Rates and Assessments

which shall be made by virtue of this Act, to which Book or Books every Person liable to pay the said Rates or Assessments shall and may have free Access at convenient Times, and shall be permitted to inspect the same, without Fee or Reward.

Rates to be signed by Nine Commissioners, who are to grant Warrants to collect and levy the same.

LXII. And be it further enacted, That all the Rates made by virtue of this Act shall be allowed and signed by Nine of the said Commissioners, who are also hereby impowered and required to grant a Warrant or Warrants for collecting thereof, as also for levying the same, by such Person or Persons as the said Commissioners shall nominate or appoint, and which Warrants shall be sufficient Authorities to the respective Persons thereby authorized for the Purposes therein mentioned; and the said Rates, after the same shall be allowed and signed by the said Commissioners, shall be collected half-yearly, or oftener, if the said Commissioners shall think it necessary; and if any Person or Persons shall refuse, neglect, or omit to pay the Sum or Sums of Money which he, she, or they shall be rated or assessed at by virtue of this Act, for the Space of Ten Days after personal Demand made thereof, or Demand in Writing left at the Place of Abode or Habitation of such Person or Persons, then and in every such Case it shall be lawful for the said Person or Persons who shall be authorized by such Warrant as aforesaid, and he and they is and are authorized and required to levy the same by Distress and Sale of the Goods and Chattels of such Person or Persons so neglecting, refusing, or omitting to pay the same, rendering the Overplus (if any), after deducting the reasonable Charges and Expences of such Distress and Sale, to the Owner thereof; and in case no such Goods and Chattels can be found to be so distrained, or in case such Goods or Chattels shall be locked up or secured, or removed from the Person or Persons authorized to distrain as aforesaid, so that he or they cannot distrain the same, then, and in either of the said Cases, upon Information thereof given to any Two Justices of the Peace for the said County, it shall be lawful for such Justices, and they are hereby required to commit the Offender or Offenders to the Common Gaol or House of Correction for the County or Place where such Offence shall be committed, there to remain, without Bail or Mainprize, for any Time not exceeding the Space of Six Months, or until the Payment of such Rate or Assessment, and reasonable Charges occasioned by the Nonpayment thereof.

LXIII. Provided

Comprising in Warrant of Distress Persons in Arrear for Rates.

LXIII. Provided always, and be it further enacted by the Authority aforesaid, That it shall be lawful to comprize in every such Warrant of Distress, or by Schedule thereto, the several Persons in Arrear for the said Rates, or for any Part or Share thereof so to be proportioned or divided as aforesaid, so as the said respective Persons be particularly named therein, with the respective Sums in Arrear, and when due; and when any Copy shall be demanded of such Warrant, a Copy thereof, with the Name of the Person demanding the same, and the Sum or Sums of Money thereby required to be levied by him, extracted from such Schedule, shall be deemed, adjudged, and taken to be a complete and perfect Copy of such Warrant, any Law, Usage, or Custom to the contrary notwithstanding.

Occupiers quitting without paying Rates to be followed.

LXIV. And be it further enacted, That when any Person or Persons who have or hath been rated and assessed by virtue of this Act shall quit his, her, or their Dwelling House, Warehouse, Shop, Vault, Cellar, or Tenement, whereupon such Rate or Assessment has been made, before he, she, or they shall have paid the same, and shall afterwards refuse to pay, when due and demanded as aforesaid by the Person or Persons authorized and appointed to collect and receive the same, that then and in every such Case it shall be lawful for such Person or Persons as shall be appointed by the said Commissioners, by Warrant under the Hand and Seal of any One or more Justice or Justices of the Peace acting in and for the said County, which Warrant the said Justice or Justices is and are hereby authorized and required to grant, in any Place within their respective Jurisdictions, or out of the Limits thereof, such Warrant being first backed or countersigned by some Magistrate in the County, City, or Liberty where the Distress is to be made, to distrain the Goods and Chattels of such Person or Persons so neglecting or refusing, and the same to sell, rendering the Overplus (if any shall be), after deducting the reasonable Charges and Expences of such Distress and Sale, to the Owner of such Goods and Chattels demanding the same: Provided always, that the said Commissioners, if they shall think proper, may sue for all or any of the Rates or Assessments which shall be made by virtue of this Act, and all Arrears due thereupon and unpaid, in any of His Majesty's Courts at Westminster, or in any Court whatsoever in the County of Middlesex for the Recovery of small Debts, in the Name or Names of the Treasurer, Clerk, or Collector for

Rates may be sued for.

the Time being, in which Action no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Tenants to pay Rates, and deduct One Moiety out of their Rents.

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

Act not to make void Agreements between Landlord and Tenant.

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

Persons paying Rates exempt from Paving, &c.

LXVII. And be it further enacted, That all Persons paying the respective Rates and Assessments by this Act laid and assessed for the Purpose of paving or repairing, shall be and every of them is and are hereby exempted and discharged from the Expence of paving or keeping in Repair the Streets, Rows, or Places, or such Parts thereof

thereof whereon any such respective Rate shall be laid, and also from all Penalties which may or might be incurred by reason of their neglecting to pave or keep the same in Repair.

But not to excuse Arrears.

LXVIII. Provided also, and it is hereby enacted, That nothing in this Act contained shall prevent the collecting any Arrears of any Rate or Assessment due from any Person or Persons before the passing of or under this Act, or in respect of any former Act.

Commissioners Powers to remit a Part of the Rates.

LXIX. And whereas it may be reasonable to excuse some Persons from the Payment of the aforesaid Rates or Assessments, in Part or on Account of their Poverty; for Relief thereof in such Cases, be it further enacted and declared, That it shall be lawful for the said Commissioners, or any Seven or more of them, and they are hereby authorized and impowered to grant to such Person or Persons such Relief in the Payment of any Rate or Assessment as they the said Commissioners shall think proper, so as the Reduction doth not exceed One Moiety of the Assessment payable by such Person or Persons.

Collectors to pay Money as received to the Treasurers.

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

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

LXXI. And, for the more effectually enabling the said Commissioners to execute the Purposes of this Act in the most expeditious Manner, with respect to paving, repairing, and regulating the several Streets, Roads, Lanes, Rows, and Alleys, and other Places hereby directed to be paved or repaired, it is hereby further enacted, That it shall be lawful for the said Commissioners, and they are hereby impowered, from Time to Time, when they shall judge it necessary, at any publick Meeting

ing to be held for that Purpose, to borrow and take up at Interest any Sum or Sums of Money upon the Credit of the Rates or Assessments to be made by virtue of this Act, for the Purpose of paving and repairing, and, by any Writing or Writings, upon Vellum or Parchment, signed by the said Commissioners, or any Nine or more of them, to assign the said Rates or Assessments, or a competent Part thereof, to such Person or Persons who shall advance and lend such Money thereupon, as a Security or Securities for the several Sums so borrowed, with Interest for the same, which Interest shall be payable and paid half-yearly, by the Treasurer or Treasurers to the said Commissioners, out of the Monies to arise by or from the said Rates or Assessments.

For borrowing Money by Annuities on Lives,

LXXII. And whereas many Persons may chuse to advance Money for the Purchase of Annuities to be secured upon and payable out of the Rates and Assessments to be raised by virtue of this Act; be it therefore further enacted, That it shall be lawful for any Person or Persons to contribute, advance, and pay into the Hands of the said Commissioners, or such Persons as they, or any Nine or more of them, being the major Part of the Commissioners present at a publick Meeting, shall appoint to receive the same, for the Uses and Purposes for which the said Rates or Assessments are made, any Sum or Sums of Money for the absolute Purchase of One or more Annuity or Annuities to be paid and payable during the full Term of the natural Life of such Person or Persons as shall be nominated by or on Behalf of such Contributor or Contributors, at the Time of Payment of the respective Contribution Money, so as the said Annuity or Annuities do not exceed the Rate of Ten Pounds by the Hundred by the Year, and so in Proportion for any greater or lesser Sum to be paid as aforesaid, all which Annuities so to be purchased shall be payable and paid by the said Treasurer or Treasurers for the Time being, out of the Monies to arise by or from the said Rates and Assessments, by half-yearly Payments, the First Payment to be made to the respective Purchasers, or their Assigns, at the Expiration of Six Months after Payment of their respective Purchase Monies, the Rate whereof shall from Time to Time be settled and adjusted by the said Commissioners, as they shall think proper, at a publick Meeting to be held for that Purpose, whereof Twenty-one Days Notice shall be given in some publick Newspaper circulated in the Bills of Mortality, so that the total Sums to be borrowed on Life Annuities, and at Interest, shall not exceed

the Whole, by both Methods of borrowing, not to exceed 12,000*l.*

ceed in the Whole the Sum of Twelve thousand Pounds.

If any Annuitants die, any Person may purchase others, till Mortgage Money paid off.

LXXIII. Provided always, and be it further enacted, That the better to enable the Commissioners to pay the Money borrowed by Mortgage of the said Rates in Manner aforesaid, it shall be lawful for them, at any Time or Times until the Sum so borrowed, and all Interest due thereon, shall be fully paid and satisfied, and no longer, as any such Annuitant or Annuitants, or Nominees, shall die, to permit any Person or Persons to purchase of them the said Commissioners One or more Annuity or Annuities in the Room of such Annuitant or Annuitants, or Nominee so dying, upon the Life of such Person or Persons, upon such Terms and Conditions, and payable in such Manner as above mentioned, so that the Sum or Sums to be contributed for the Purchase of any Annuity or Annuities to be granted by virtue of this Act shall not at any One Time exceed the Sum of Twelve thousand Pounds.

As Annuitants die, Rates to be lowered, if Commissioners think fit.

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

Annuities charged upon the Rates.

LXXV. And be it further enacted, That all and every Annuity or Annuities so to be purchased, shall be and are hereby charged upon, and shall be paid and payable, from Time to Time, out of the Monies arising by the Rates and Assessments made for paving and repairing as aforesaid, and all and every the Contributor or Contributors upon the Credit of this Act, duly paying the Consideration or Purchase Money as aforesaid, for any such Annuity or Annuities, his, her, or their respective Executors, Administrators, and Assigns, shall have, receive, and enjoy, and shall be entitled, by virtue of this Act, to have, receive, and enjoy the respective Annuity or Annuities so to be purchased, out of the said Rates or Assessments for the Payment thereof as aforesaid, during the Term of the natural Life of the Person to be nominated by such Purchaser or Contributor as before mentioned, and that all and every such Purchaser and Purchasers, and their Executors, Administrators, and Assigns, shall have good, sure, and absolute and indefeazable Estates and Interests in the Annuities so by him, her, or them respectively to be purchased, according to the Tenor and true Meaning of this Act, and that none of the said Annuities shall now or hereafter be subject or

liable to the Tax charged, or to be charged, on Land by Authority of Parliament, and that every Contributor for the Purchase of any such Annuity or Annuities as aforesaid, his, her, or their Assigns, upon Payment of the Consideration or Purchase Money, shall have a Receipt or Receipts for the same, and also an Order on Parchment for Payment of the said Annuity or Annuities for and during the natural Life of the Person who shall be so nominated as aforesaid, by half-yearly Payments, which Order shall be signed by the said Commissioners, or any Nine or more of them, and after signing thereof the same shall be firm, valid, and of good Effect in the Law, according to the true Purport and Meaning of this Act, without registering, or any other Form or Ceremony now required by Law for making good Grants and Annuities.

Clerk to enter all Securities for Money borrowed by Annuities on Lives.

LXXVI. And be it further enacted, That the Clerk of the said Commissioners for the Time being shall enter in a Book or Books to be for that Purpose provided and kept by the said Commissioners, all Securities for Monies borrowed, or Annuities granted, by virtue or in pursuance of this Act, and all Assignments or Transfers thereof, expressing in Words at Length the Names, Surnames, Additions, Place of Abode, and other Descriptions of all such Persons as shall from Time to Time be entitled to such Securities, and also the Name, Surname, Addition, Place of Abode, and other Descriptions of every Person for whose Life any Annuity shall be granted by virtue of this Act, and the Days whereon the said Annuity shall be payable, to which Book and Books the Person and Persons entitled to and possessed of such Annuity, and all and every the Person and Persons liable to the Payment of the said Rates and Assessments, shall at all reasonable Times have Access with free Liberty to inspect the same, without Fee or Reward.

For Assignment of Securities.

LXXVII. And be it further enacted, That it shall be lawful for any Person or Persons entitled to any of the Securities aforesaid, and his, her, or their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his, her, or their Hand or Hands respectively, to assign or transfer such Securities, by Indorsement on the Back thereof, to any Person or Persons whatsoever, and so toties quoties, and such Assignments or Transfers, after they shall respectively be entered by the Clerk of the said Commissioners in Manner aforesaid (which he is hereby required to do without Fee or Reward) shall entitle the Person or Persons to

whom they shall be respectively made, and his, her, or their respective Executors, Administrators, and Assigns, to the Benefit of the Security or Securities so assigned or transferred.

Monies vested in Commissioners.

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

Expences of the Act.

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

Other Streets may be paved by the Commissioners, upon Application of Two Thirds of the Owners or Proprietors.

LXXX. And be it further enacted by the Authority aforesaid, That if at any Time hereafter Two Thirds or more in Number, and Two Thirds or more in Value, of the Owners or Proprietors of Houses, Lands, Tenements, and Hereditaments, within any Street, Row, Lane, Alley, Court, Passage, or Place within the said Parish of Saint Matthew Bethnal Green, other than those herein-before particularly described, shall be desirous to take the Benefit of this Act, and to have the same paved or repaired, and cleared of Incroachments, Nuisances, Obstructions, and Annoyances, and shall by Writing under their Hands signify such their Desire, and the Manner in which they would have the same paved or repaired, to the said Commissioners, and they shall approve thereof, that then it shall be lawful for the said Commissioners to cause the same to be done, and they are hereby impowered to rate and assess the Inhabitants of such Street, Lane, Passage, Alley, Court, or Place, for the Purposes aforesaid, in such and the same Manner, and in such Proportions as they are herein-before authorized to rate and assess, within the several Streets, Rows, Lanes, Alleys, and Places herein-before particularly named, and directed to be paved or repaired, and to raise Money upon Annuities for Lives, or otherwise, upon the Credit of such Rates or Assessments, for the only Purpose of defraying the Expences of the said Works, and other Matters and Things relating thereunto, but for no other Purpose whatsoever; and the Pavement of the said Street, Lane, or other Place comprehended in such Desire, in Writing, shall, after an Order made by the said Commissioners, or any Nine or more of them, for the Purposes aforesaid, be from thenceforth vested in the said Commissioners, and forth

Such Streets may then be comprehended.

Street

Street or Place shall remain under the same Government, Direction, and Management of them, and other Officers or other Persons appointed by them for that Purpose, as the said several Streets, Roads, Rows, Lanes, and Places first authorized to be paved or repaired; and the said Commissioners, Officers, Workmen, Servants, and other Persons acting under them, shall have the same Power and Authority in, over, and through such Street or Place applied for as aforesaid, and over the several Inhabitants, Landlords, Tenants, and Occupiers thereof, Companies, Commissioners, Bodies Politick and Corporate, and their Officers, Servants and Workmen, and all and every other Person or Persons whatsoever interested in or entitled to any Privilege therein, and every Matter and Thing relating to the Premises, as the said Commissioners, and their Officers, Servants, and Workmen acting under them are invested with by this Act, for the better Management, ordering, regulating, and rendering more commodious the several Streets, Rows, Lanes, and Places hereby first authorized to be paved or repaired; and every Clause, Matter, or Thing contained in this Act shall be construed, adjudged, deemed, and taken to extend to every such Street, Lane, and Place applied for as aforesaid, as also to the several Inhabitants, Landlords, Tenants, and Occupiers thereof, Companies, Commissioners, Bodies Politick and Corporate, their Officers, Servants, and Workmen, and all and every other Person or Persons interested or entitled to any Privilege therein, and every Matter or Thing relating thereto, or in anywise concerning the Premises, in like Manner as the same Clauses, Matters, and Things extend, and shall be adjudged or construed to extend, in similar Cases, to the several Streets, Rows, Lanes, and Places first herein authorized to be paved, and the several Inhabitants, Landlords, Tenants, and Occupiers thereof, Companies, Commissioners, Bodies Politick and Corporate, and all and every other Person or Persons whatsoever interested or entitled to any Privilege therein, or to any Matter or Thing relating to the Premises, and the like Penalties, Forfeitures, and Punishments shall be inflicted, and for the like Causes, as are herein-before expressed, and shall be sued for, recovered, levied, and executed in the same Manner.

Commissioners may compound for any Penalty given by this Act, or mitigate the same.

LXXXI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to compound and agree with any Person or Persons against whom any Action or Actions, Suit or Suits shall

be brought, commenced, or prosecuted, for any Penalty or Penalties contained in this Act, or in any Contract or Contracts entered into on Account of any Breach or Non-performance of any such Contract or Contracts, for such Sum or Sums of Money as they shall think proper, and also to mitigate, compound, or lessen any other the Forfeitures incurred under this Act, so as the Sums so compounded and agreed for be not less than the Injury or Damage sustained by the Breach or Nonperformance of any Clause comprized in this Act, or of such Contract or Contracts, and all the Costs, Charges, and Expences which shall be occasioned thereby, and so as the Mitigation of the other Forfeitures as aforesaid do not extend to remit above One Moiety of the said Forfeitures respectively.

Penalties not otherwise provided for, how to be recovered.

LXXXII. And be it further enacted, That all Penalties and Forfeitures by this Act imposed (the Manner of levying and recovering whereof is not hereby otherwise particularly directed) shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace acting in and for the County of Middlesex, according to the Form or Effect hereafter mentioned, which Warrant such Justice is hereby impowered to grant, upon the Confession of the Party or Parties, or upon the Information of a credible Witness or Witnesses upon Oath; and the Penalties and Forfeitures when recovered, after rendering the Overplus (if any be), upon Demand, to the Party or Parties whose Goods and Chattels shall be so distrained and sold, the Charges of such Distress and Sale being first deducted, shall be paid to the Clerk or Treasurer to the said Commissioners for the Time being, and be applied towards the respective Purposes of this Act, in Relation whereunto such respective Penalties and Forfeitures arose or were incurred; and in case sufficient Distress cannot be found, or such Forfeitures and Penalties shall not be paid forthwith, it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, according to the Form or Effect hereafter mentioned, to cause such Offender or Offenders to be committed to the Common Gaol of the County where such Offence shall be committed, or where such Offender shall be convicted, there to remain, without Bail or Mainprize, for any Time not exceeding Two Months, nor less than One Week, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied.



LXXXIII. Pro-

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

LXXXIV. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on Account of any Defect or Want of Form in any Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers ab initio, on Account of any Irregularity which shall hereafter be 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. Distress not unlawful for Want of Form.

LXXXV. Provided always, That no Plaintiff shall recover in any Action for any such Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made by or on Behalf of the Party or Parties who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceeding, before such Action brought; and the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, may, at any Time before Issue joined, pay into the Court such Sum of Money as he or they shall think fit, whereupon such Proceedings, or Orders and Judgements shall be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court. Plaintiff not to recover if Tender of Amends be made.

LXXXVI. Provided always, and be it further enacted, That if any Person shall think himself, herself, or themselves aggrieved by any Thing done in pursuance of this Act, such Person or Persons shall and may, within Three Months next after the Cause of Complaint shall arise, appeal to the Justices of the Peace at the next General or Quarter Sessions of the Peace to be holden in and for the County of Middlesex, such Appellant or Appellants first giving or causing to be given Ten Days Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Cause or Causes thereof, to the Clerk or Treasurer to the said Commissioners, and within Fourteen Days next after such Notice enter into Power of Appeal to the Quarter Sessions.

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

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

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

Inhabitants deemed competent Witnesses, &c.

LXXXVIII. And be it further enacted by the Authority aforesaid, That any of the Inhabitants of the said Parish of Saint Matthew Bethnal Green shall, before any Justice or Justices of the Peace, or upon any Trial, Hearing, Examination, or otherwise, in, about, touching, or concerning this Act, or any of the Matters or Things herein contained, be and be deemed a competent Witness or Witnesses, notwithstanding his or her being such Inhabitant, or paying any of the Rates laid or assessed by the Authority of this Act, and that any Justice of the Peace for the County of Middlesex may act in the Execution of this Act, notwithstanding he shall be a Commissioner, or be contributary to the Rates aforesaid, any Law, Statute, or Usage to the contrary notwithstanding.

Proceedings not to be quashed for Want of Form.

LXXXIX. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offen-

der 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.

Persons assessed to this Rate, excused from Two Thirds of the Statute Duty, or any Composition in lieu thereof, with respect to the Highways.

XC. And be it further enacted, That all Persons paying the Rates and Assessments by this Act laid and assessed, or by the several Acts made for the Parish of Christ Church, in the County of Middlesex, with respect to paving Brick Lane, in the said Parish of Saint Matthew Bethnal Green, shall be, and they and each and every of them is and are hereby exempted and discharged from Two Thirds of the Statute Duty, or any Composition in lieu thereof, with respect to the Premises they occupy, for repairing any Highway or Highways within the said Parish of Saint Matthew Bethnal Green, and from all Penalties which might be incurred by Neglect thereof, with respect to such Premises rated and assessed to this Act: Provided always, That nothing herein contained shall extend to exonerate or discharge the Owners or Occupiers of any Street, Road, Row, or Place, not comprised within this Act, from their full Statute Duty, although such Street, Road, Row, or Place, may hereafter, pursuant to the Powers hereby given to the Commissioners, be paved by the said Commissioners, and be made subject to the Payments and Rates by this Act to be imposed on such Owners or Occupiers.

Form of Conviction.

XCI. And, for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction and Warrants to be drawn up in the Form or to the Effect following:

*Middlesex*, (to wit.) BE it remembered, That on the Day of in the Year of the Reign of is convicted before me One of His Majesty's Justices of the Peace for the County of *Middlesex*, of [*specifying the Offence*] contrary to an Act of Parliament made in the Thirty-third Year of the Reign of King *George* the Third [*specifying the Title of the Act.*] Given under my Hand and Seal, the Day and Year above written.

Warrant

## Warrant of Diſtreſs.

*To all Conſtables and Headboroughs in the County of* Middleſex.

*Middleſex,* (to wit.) WHEREAS has been duly convicted before me One of His Majeſty's Juſtices of the Peace for the ſaid County of *Middleſex*, in the Sum of for [*ſpecifying the Offence*] contrary to the Statute made in the Thirty-third Year of the Reign of King *George* the Third, for [*ſpecifying the Title of the Act*], which Sum of he now refuſes to pay, or [*as the Caſe may be*] he hath neglected to pay, as appears to me upon Oath; theſe are therefore, in His Majeſty's Name, to will and require you, or either of you, forthwith to levy the Sum of by Diſtreſs and Sale of the Goods and Chattels of the ſaid (ſuch Goods and Chattels being kept by the Space of Five Days before the ſame are ſold), rendering to the Overplus (if any be), the reaſonable Charges of ſuch Diſtreſs, Sale, and Keeping, being firſt deducted; and if no ſufficient Diſtreſs can be had or taken, that then you certify the ſame to me, to the End ſuch further Proceedings may be had therein as to the Law doth appertain. Given under my Hand and Seal, the Day of in the Year of our Lord

## Warrant for Want of Diſtreſs of Goods, or where the Party refuſes or neglects to pay the Penalty.

*To all Conſtables and Headboroughs for the County of* Middleſex.

*Middleſex,* (to wit.) WHEREAS hath been duly convicted before me One of His Majeſty's Juſtices of the Peace for the ſaid County of *Middleſex*, in the Sum of for [*ſpecifying the Offence*] contrary to the Statute made in the Thirty-third Year of the Reign of King *George* the Third, for [*ſpecifying the Title of the Act*], which Sum of the ſaid now in my Preſence, refuſes to pay, or [*as the Caſe may be*] hath neglected to pay,

pay, as appears to me on the Oath of
[*if after a Diſtreſs Warrant iſſued and returned, then add*] and no ſufficient Diſtreſs can be found whereon to levy the ſaid Sum, as appears to me on the Oath of These are therefore, in His Majeſty's Name, to will and require you, and every of you, to apprehend the ſaid and him ſafely to convey and deliver to the Keeper of *Newgate*, or the Keeper of [*as the Juſtice ſhall think proper*] or his Deputy, together with this Warrant; and I do hereby require you the ſaid Keeper and Deputy Keeper to receive the ſaid into your Gaol, and ſafely keep, without Bail or Mainprize, for unleſs the ſaid Sum of and all reaſonable Charges, ſhall be ſooner paid and ſatisfied. Given under my Hand and Seal, the Day of in the Year of our Lord

Limitation of Actions.

XCII. And be it further enacted, That no Action or Suit ſhall be brought, commenced, or proſecuted againſt any Perſon or Perſons for any Thing done in purſuance of this Act, unleſs Thirty Days Notice ſhall be firſt given in Writing to the Clerk or Treaſurer to the ſaid Commiſſioners, ſigned by the Plaintiff or Plaintiffs, or unleſs the ſame ſhall be commenced before the Expiration of Six Calendar Months next after the Fact committed, or unleſs Tender of reaſonable Amends hath not or ſhall not have been made by or in Behalf of the Defendant or Defendants in ſuch Action or Suit, nor unleſs ſuch Action or Suit ſhall be laid and brought in the County of Middleſex; and the Defendant or Defendants in any Action or Suit to be commenced for any Thing done in purſuance of this Act ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the Matter or Thing for which ſuch Action or Suit ſhall be brought was done in purſuance and by the Authority of this Act: And if ſuch Matter or Thing ſhall appear to have been ſo done, or if it ſhall appear that ſuch Action or Suit was brought before Thirty Days Notice thereof was given in Writing to the Clerk or Treaſurer of the ſaid Commiſſioners, ſigned by the Plaintiff or Plaintiffs, or if it ſhall appear that ſuch Action or Suit was not commenced before the Expiration of Six Calendar Months next after the Fact committed, or if it ſhall appear that Tender of reaſonable Amends was made by or in Behalf of the Defendant or Defendants in ſuch Action

tion or Suit before such Action or Suit was commenced or brought, or such Action or Suit shall be brought in any other County or Place than the County of Middlesex, that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have in any other Cases by Law.

Treble Costs.

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

FINIS.