ANNO TRICESIMO QUARTO

Georgii III. Regis.

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Hoſpital, and bounded as followeth; (that is to ſay), Eaſtwards, in Part by Ground belonging to *Henry Doughty* Eſquire, in other Part by the King's Highway, commonly called *Gray's Inn Lane Road*, and in other Part by Ground belonging to *Thomas Harriſon* Cow Keeper; Northwards, in Part by a Carriage Road leading from *Gray's Inn Lane Road* aforeſaid, to the Burial Grounds of or belonging to the aforeſaid Pariſhes of *Saint George the Martyr*, and *Saint George, Bloomſbury*; in other Part by the ſaid Burial Grounds, and in other Part by Ground belonging to the Worſhipful Company of Skinners, of the City of *London*; Weſtwards, in Part and chiefly by a Carriage Road, commonly called *The private Road of his Grace the Duke of Bedford*, and in other Part by Meſſuages or Buildings and Ground belonging to the ſaid Duke of *Bedford*; and Southwards, in Part by Meſſuages and Buildings on the North Sides of *Brunſwick Row*, *Queen's Square*, *Powis Place*, and *Great Ormond Street*, and the Yards and Gardens thereunto reſpectively belonging, and in other Part by Meſſuages or Buildings and Ground belonging to the Truſtees of the *Rugby* Charity, founded by *Lawrence Sheriff* Grocer of *London*: And whereas ſeveral Perſons have entered into Contracts with the ſaid Governors and Guardians, for laying out and building ſeveral Streets, Squares, and other publick Paſſages and Places, upon the ſaid Pieces of Ground; and the ſame are now carrying on: And whereas it would contribute to the Benefit and Safety of all Perſons who are or ſhall become Inhabitants of the ſaid ſeveral Streets, Squares, and other publick Paſſages and Places, and to all Perſons who ſhall have Occaſion to paſs along the ſame, if Proviſion was made for forming and paving, or otherwiſe repairing and keeping in Repair ſuch intended Streets, Squares, and other publick Paſſages and Places, and alſo for cleanſing, lighting, watching, and watering, and keeping the ſame free from all Nuiſances, Annoyances, and Incroachments; but the ſeveral Purpoſes aforeſaid cannot be effected without the Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That *Robert Auſten* Eſquire, *Joſeph Ballard* Eſquire, *Edward Benton* Eſquire, *Thomas Bernard* Eſquire, *Charles Nalſon Cole* Eſquire, *Cornelius Denne* Eſquire, *Francis Dovee* Eſquire, *John Eames* Eſquire, *John Haſſard* Eſquire, *John Keyſall* Eſquire, *William Long Kingſman* Eſquire, *John Kingſton* Eſquire, *Stephen Martin Leake* Eſquire, *John Mayo* Doctor in Phyſick, *Thomas Plumer* Eſquire, *Launcelot Shadwell* Eſquire, *William George Sibley* Eſquire, *Chriſtopher Stanger* Doctor in Phyſick, the Reverend *Stephen White* Doctor of Laws, *John Wilmot* Eſquire, and *Peter Wright* Eſquire, together with *Alexander Anderſon* Builder, *John Booth* Surveyor, *James Burton* Surveyor, *Charles Connelly* Gentleman, *George Dennet* Gentleman, *John Howell* Builder, *John Wilkinſon Long* Builder, *James Mansfield* Builder, *Richard Nixon* Gentleman, *William Norris* Builder, *Henry Scrimſhaw* Builder, *John Sealy* Gentleman, *John Shaw* Builder, *Robie Sherwin* Gentleman, *George Slaton* Builder, *James Spiller* Surveyor, *James Tomes* Builder, *John Fulford* Builder, *Joſeph Wigg* Builder, *Benjamin Williams* Builder, and *John Young* Builder, ſhall be, and they are hereby appointed Commiſſioners for carrying this Act into Execution, for and during the Term of Three Years, to be computed from the Second *Wedneſday* in *May* One thouſand ſeven hundred and ninety-four; and that, from

Commiſſioners appointed for the Firſt Three Years.

from and after the End or Expiration of ſuch Term of Three Years, the ſeveral other Perſons from Time to Time to be elected and appointed in the Manner herein-after mentioned, ſhall be, and they are hereby appointed Commiſſioners for carrying this Act into Execution.

On the Second Wedneſday in *May* 1797, and ſo afterwards annually, 21 Governors of the Hoſpital to be elected Commiſſioners.

II. And, for appointing and continuing a ſufficient Number of Commiſſioners to carry this Act into Execution, after the Expiration of the ſaid Term of Three Years, be it further enacted, That, upon the Second *Wedneſday* in *May*, which will be in the Year of our Lord One thouſand ſeven hundred and ninety-ſeven, and ſo afterwards annually, on the ſecond *Wedneſday* in *May* in every ſucceeding Year from thenceforth, the Governors and Guardians of the ſaid Hoſpital ſhall, and they are hereby authorized and required, at their General Annual Meeting, (which by an Act of Parliament, paſſed in the Twenty-third Year of the Reign of His late Majeſty King *George* the Second, is appointed to be held on the ſaid Second *Wedneſday* in *May* in every Year), from Time to Time, to elect Twenty-one of the ſaid Governors and Guardians to be Commiſſioners for carrying this Act into Execution, and ſuch Twenty-one Governors and Guardians, ſo from Time to Time to be elected Commiſſioners, ſhall be, and they are hereby appointed Commiſſioners for putting in Execution the Powers and Authorities given and granted by this Act, for and during the ſucceeding Year next after they ſhall have been ſo elected as aforeſaid; and that, upon the ſaid Second *Wedneſday* in *May* One thouſand ſeven hundred and ninety-ſeven, and ſo afterwards annually, on the Second *Wedneſday* in *May* in every ſucceeding Year from thenceforth, the Inhabitant Houſeholders reſiding within the Limits of this Act, who ſhall have paid up their Rates to the Twenty-fifth Day of *March* next or immediately before every ſuch Meeting, as herein-after is mentioned, (to be convened for that Purpoſe by a Notice in One or more of the publick Newſpapers, under the Signature of the Clerk to the Commiſſioners for the Time being, acting by virtue of this Act), are hereby authorized and required to meet at ſuch Place as ſhall be appointed by the ſaid Commiſſioners, to be expreſſed in the ſaid Notice, and within the Limits of this Act, and there to elect Twenty-one Male Perſons (each of whom ſhall be then, either in his own Right or in the Right of his Wife, in the actual Poſſeſſion or Enjoyment, or Receipt of the Rents and Profits of ſome Building or Buildings, Lands, Tenements, or Hereditaments, ſituate or being within the Limits of this Act, of the clear Yearly Value of Forty Pounds, or a Leſſee of a Houſe, Tenement, or Land, within ſuch Limits, rated or liable to be rated, by virtue or for the Purpoſes of this Act, at or for the clear Yearly Value of Fifty Pounds, or reſident within the ſaid Limits, and in the Occupation of any Building, Houſe, Tenement, or Land, rated or liable to be rated as aforeſaid, at or for the clear Yearly Value of Fifty Pounds, and poſſeſſed of a Perſonal Eſtate of the Amount or Value of Two thouſand Pounds), to be Commiſſioners for carrying this Act into Execution; and ſuch Twenty-one Perſons ſo from Time to Time to be elected Commiſſioners ſhall be, and they are hereby appointed Commiſſioners for putting in Execution the Powers and Authorities given and granted by this Act, jointly and together with ſuch Twenty-one Governors and Guardians of the ſaid Hoſpital as ſhall be ſo from Time to Time elected as aforeſaid, for and during the ſucceeding Year next after they ſhall have been ſo elected as aforeſaid.

With 21 other Perſons, to be choſen by the Freeholders upon the Hoſpital Lands.

How Commissioners are to be appointed, upon Vacancies between the General Elections.

III. And be it further enacted, That in case any of the Commissioners appointed or to be appointed under or by virtue of this Act, being a Governor or Guardian of the said Hospital as aforesaid, shall happen to die or become disabled from acting as a Commissioner by virtue of this Act, either before or after the Second *Wednesday* in *May* One thousand seven hundred and ninety-seven, then, and so often it shall and may be lawful to and for the major Part of the Governors and Guardians of the said Hospital for the Time being, assembled at their then next or any subsequent General Meeting for transacting the Affairs of the said Hospital, to elect and appoint a Governor and Guardian of the said Hospital to be a Commissioner in the Room of every such Commissioner so dying or becoming disabled as aforesaid, for the Time that such Person so dying or becoming disabled would have been or remained a Commissioner under or by virtue of this Act, if he had not so died or become disabled as aforesaid; and also, that in case any of the Commissioners appointed, or to be appointed under or by virtue of this Act, not being a Governor or Guardian of the said Hospital as aforesaid, shall either before or after the said Second *Wednesday* in *May* One thousand seven hundred and ninety-seven, become disqualified, or die, or be disabled from acting as a Commissioner by virtue of this Act, then and so often it shall and may be lawful to and for the surviving or remaining Commissioners under this Act, (not being Governors or Guardians of the said Hospital), or any Five or more of them, assembled at the then next Meeting which shall be held by virtue of this Act, (the Disqualification, Death, or Disability of such Commissioner or Commissioners as last aforesaid, and the intended Election of his or their Successor or Successors, being expressed or noticed in the Summons for such Meeting), to elect and appoint a Commissioner, qualified as aforesaid, in the Room of every such Commissioner disqualified, dying, or becoming disabled to act as last is mentioned; and every such Commissioner, so from Time to Time elected and appointed as herein-before is directed, shall be joined with the other Commissioners, and have the like Power and Authority, in all Respects whatsoever, to act with them in and about the Execution of this Act, for and during the Time that such Person so dying, or becoming disqualified or disabled, would have remained a Commissioner under or by virtue of this Act, if he had not so died, or become disqualified or disabled as aforesaid.

Qualification of Commissioners.

IV. Provided always, That no Person (except the Governors and Guardians of the said Hospital as aforesaid) shall be capable of acting as a Commissioner in the Execution of this Act, (otherwise than in administering the Oath herein-after mentioned, which Oath any One of the said Commissioners is hereby empowered to administer), unless at the Time of his acting he shall be qualified in Manner herein-before mentioned, and until such Person shall have taken and subscribed an Oath to the Effect following; (that is to say),

'I do swear, That I truly am, in my own 'Right or in the Right of my Wife, in the actual Possession and En-'joyment, or Receipt of the Rents and Profits of Buildings, Lands, 'Tenements, or Hereditaments, of the clear Yearly Value of Forty 'Pounds, or that I am Lessee or Occupier of some Building, House, Te-'nement, or Land, rated, or liable to be rated, at or for the Value of 'Fifty Pounds *per Annum* at the least, by virtue or for the Purposes, and

'within the Limits of an Act of Parliament, made in the Thirty-fourth 'Year of the Reign of King *George* the Third, intituled [*ſet forth the* 'Title of the Act]; or [*in caſe of ſuch Occupier as aforeſaid,*] that I am 'reſident within the Limits aforeſaid, and am poſſeſſed of a Perſonal 'Eſtate of the Amount or Value of Two thouſand Pounds, over and 'above what is ſufficient to ſatisfy my juſt Debts.

'So help me GOD.'

And if any Perſon, not being qualified as aforeſaid, (except ſuch of the Commiſſioners under this Act as for the Time being ſhall be Governors and Guardians of the ſaid Hoſpital as aforeſaid), or if any Perſon ſo qualified as aforeſaid ſhall, during ſuch Time as he ſhall hold any Place or Office of Profit, or be any Way intereſted or concerned in any Contract to be eſtabliſhed or made by virtue of this Act, or any Work or Buſineſs to be done under the ſame, ſhall preſume to act as a Commiſſioner in the Execution of this Act, he ſhall, for every ſuch Offence, forfeit and pay the Sum of One hundred Pounds, together with full Coſts of Suit, to any Perſon who ſhall ſue for the ſame in any of His Majeſty's Courts of Record, by Action of Debt, or on the Caſe, or otherwiſe, and the Perſon ſo ſued ſhall prove that he is qualified as aforeſaid, or that he did not hold any ſuch Place or Office of Profit, or was not intereſted or concerned in any ſuch Contract, Work, or Buſineſs, as aforeſaid, (as the Caſe may happen), or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence being given, on the Part of the Plaintiff, than that ſuch Perſon had acted as a Commiſſioner in the Execution of this Act, not being qualified as aforeſaid, or whilſt holding any ſuch Place or Office, or being intereſted or concerned in any ſuch Contract, Work, or Buſineſs, as aforeſaid.

Meetings of the Commiſſioners.

V. And be it further enacted, That the ſaid Commiſſioners appointed by this Act ſhall meet at the General Court Room in the Hoſpital aforeſaid, on the Twenty-ſecond Day of *May* One thouſand ſeven hundred and ninety-four, between Twelve and Two of the Clock, in order to put this Act in Execution, and ſhall and may then, and from Time to Time afterwards, adjourn themſelves to and meet at the Place aforeſaid, or any other convenient Place within or near the Limits of this Act; and if at any Time there ſhall not appear at any ſuch Meeting a ſufficient Number to act of the Commiſſioners appointed or to be appointed by or by virtue of this Act, any One of the ſaid Commiſſioners preſent may adjourn the Meeting to another Day; and in caſe of any Neglect or Omiſſion to adjourn, any Three of the ſaid Commiſſioners, or their Clerk, ſhall and may call a Meeting at the Place where the laſt Meeting of the Commiſſioners was appointed to be held, by Notice thereof to be given to the ſaid Commiſſioners, by Advertiſement in One or more publick Newſpaper or Newſpapers publiſhed in *London* or *Weſtminſter*, at leaſt Three Days before ſuch Meeting; and that at all Meetings to be held in purſuance of this Act the ſaid Commiſſioners ſhall defray their own Expences; and no Act of the ſaid Commiſſioners ſhall be valid, unleſs made or done at ſome Meeting to be held by virtue of this Act, (except the calling of Meetings as aforeſaid); and that all the Powers and Authorities by this Act granted to or veſted in the Commiſſioners

appointed

appointed or to be appointed by or by virtue thereof, ſhall and may, from Time to Time, be exerciſed by the major Part of them preſent at their reſpective Meetings to be holden as aforeſaid, the Number of Commiſſioners preſent at ſuch Meetings not being leſs than Ten, for the Purpoſe of borrowing Money or granting Annuities, and not being leſs than Seven for the Purpoſe of making Contracts by virtue of this Act, and not being leſs than Five in any other Caſe, unleſs where herein otherwiſe particularly provided; and in all Caſes where the Number of Votes upon any Queſtion ſhall be equal, (including the Chairman's Vote), the Chairman ſhall have the caſting Vote; and at every Meeting to be held under or in purſuance of this Act, the firſt Buſineſs thereof ſhall be the Election of a Chairman to preſide at the ſame.

Special Meetings may be held.

VI. Provided nevertheleſs, That it ſhall be lawful for the Commiſſioners appointed or to be appointed by or by virtue of this Act, and they are hereby authorized to hold any Special Meeting, between their then laſt Meeting and the Day to which any ſubſequent Meeting ſhall have been then adjourned, ſo as that ſuch Meeting ſhall be required by Three or more of the ſaid Commiſſioners, Notice of ſuch Special Meeting ſhall be publickly advertiſed as aforeſaid at leaſt Seven Days before the Time to be appointed for the ſame, and ſo as that ſuch Advertiſements ſhall be ſigned by the Clerk of the ſaid Commiſſioners, and ſhall ſpecify the Cauſe or Cauſes of ſuch Special Meeting.

Reſtrictions as to revoking Orders.

VII. And be it further enacted, That no Order made by the ſaid Commiſſioners appointed or to be appointed under or by virtue of this Act, ſhall be revoked or altered unleſs at ſome Meeting to be required as aforeſaid, and to be held for that Purpoſe, (of which Seven Days Notice ſhall be given as aforeſaid, expreſſing the Occaſion of ſuch Meeting), and alſo unleſs a greater Number of Commiſſioners ſhall attend ſuch Meeting to revoke or alter the ſame than were preſent when ſuch Order was made.

Proceedings of the Commiſſioners to be entered.

VIII. And be it further enacted, That regular Entries ſhall be made in a Book to be provided for that Purpoſe, of all the Acts, Orders, and Proceedings of the ſaid Commiſſioners, and of the Names of the Commiſſioners who ſhall be preſent at the reſpective Meetings, and One or more of the ſaid Commiſſioners who ſhall be preſent ſhall ſubſcribe his or their Name or Names at the End of the Proceedings of the reſpective Meetings; and all ſuch Entries, being ſo ſigned, ſhall be deemed Originals, and ſhall be allowed to be read in Evidence in all Cauſes, Suits, and Actions, touching any Thing done in purſuance of this Act, and that ſuch Book ſhall at all ſeaſonable Times be open to the Inſpection of any of the Governors and Guardians of the ſaid Hoſpital for the Time being, and to all Perſons rated or aſſeſſed for the Purpoſes of this Act.

Officers to be appointed, who are to give Security.

IX. And be it further enacted, That the ſaid Commiſſioners ſhall, from Time to Time, by Writing under their Hands, appoint a Treaſurer, Clerk, and Surveyor, and alſo a Collector of the Rates or Aſſeſſments to be made as herein-after mentioned, and ſuch other Officers and Perſons as they ſhall think neceſſary, and may remove any ſuch Officers or other Perſons as they ſhall think proper, and appoint others in their Stead, and

ſhall

ſhall pay ſuch Salaries, and make ſuch Allowances to all ſuch Officers or Perſons as they the ſaid Commiſſioners ſhall think reaſonable, and the ſaid Commiſſioners are hereby required to take ſuch Security from every ſuch Treaſurer and Collector of the Rates as they ſhall think proper.

Treaſurer and Collector to account.

X. And be it further enacted, That every ſuch Treaſurer and Collector ſhall, under his Hand, (at ſuch Time or Times, and in ſuch Manner as the ſaid Commiſſioners ſhall direct), deliver to the ſaid Commiſſioners, or to ſuch Perſon as they ſhall appoint, a true and perfect Account in Writing of all ſuch Matters and Things as may be committed to his Charge, and alſo of all Money which ſhall have been by him 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 Money as ſhall remain in his Hands, to ſuch Bank or Bankers as the ſaid Commiſſioners ſhall from Time to Time direct or appoint, the Receipts of which Bank or Bankers ſhall be a ſufficient Diſcharge for the ſame; and if any ſuch Collector as aforeſaid ſhall at any Time or Times hold or keep in his own Hands, for the Space of Three Days together, any larger Sum of Money to be received by him under this Act than the Sum of One hundred Pounds, he ſhall for every ſuch Offence forfeit and pay to the ſaid Commiſſioners, for the Purpoſes of this Act, the Sum of Five Pounds within the Space of Ten Days next after he ſhall be called upon by them or their Treaſurer to pay ſuch Penalty; and every ſuch Collector ſhall, when thereunto required by the Commiſſioners aſſembled at any ſuch Meeting as aforeſaid, produce a Book containing an Account of the Rates and Aſſeſſments laid by virtue of this Act, which ſhall be in Arrear and unpaid, and the Names of the Perſons by whom the ſame ought to be paid, with the Sums by them reſpectively owing, and the Times when the ſame became due, and every ſuch Treaſurer and Collector ſo accounting ſhall upon Oath, if thereunto required by the ſaid Commiſſioners, (which Oath any One of the ſaid Commiſſioners is hereby empowered to adminiſter), verify ſuch Account; and if any ſuch Treaſurer or Collector ſhall refuſe or wilfully neglect to make and render, or ſhall refuſe or neglect 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 in caſe the Clerk to the ſaid Commiſſioners, or any ſuch Treaſurer or Collector, ſhall not deliver to the ſaid Commiſſioners, or to ſuch Perſon as they ſhall appoint, within Thirty Days next after being thereunto required by Notice in Writing, ſigned by the ſaid Commiſſioners, or any Ten or more of them, and given to or left at the laſt or uſual Place of Abode of ſuch Treaſurer, Clerk, or Collector, all Books, Papers, and Writings, in his Cuſtody or Power relating to the Execution of this Act, or Duplicates thereof reſpectively, or give Satisfaction to the ſaid Commiſſioners reſpecting the ſame, and Complaint ſhall be made thereof, on the Behalf of the ſaid Commiſſioners, to any Juſtice of the Peace for the County of *Middleſex*, ſuch Juſtice is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe ſuch Treaſurer, Clerk, or Collector, to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter of ſuch Complaint in a ſummary Way; and if, upon the Confeſſion of the Party, or by the Teſtimony of any credible

Witneſs upon Oath, (which Oath ſuch Juſtice is hereby empowered to adminiſter), it ſhall appear to ſuch Juſtice that any of the Monies which ſhall have been collected and raiſed by virtue of this Act ſhall be in the Hands of any ſuch Treaſurer or Collector, ſuch Juſtice is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon, and if no ſuch Goods or Chattels can be found ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of diſtraining and ſelling the ſame, or if it ſhall in Manner aforeſaid appear to ſuch Juſtice that any ſuch Treaſurer or Collector had refuſed or wilfully neglected to render and give ſuch Account, or to verify the ſame as aforeſaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings, relating to the Execution of this Act, ſhall be in the Cuſtody or Power of any ſuch Treaſurer, Clerk, or Collector, and he ſhall have refuſed or neglected to deliver or give Satisfaction reſpecting the ſame as aforeſaid, then ſuch Juſtice ſhall commit him to the Common Gaol or Houſe of Correction, there to remain, without Bail or Mainprize, until ſuch Perſon, being Treaſurer or Collector, ſhall make and give a true and perfect Account, and have paid ſuch Money as aforeſaid, or ſhall have compounded for ſuch Money with the ſaid Commiſſioners, and have paid ſuch Compoſition in ſuch Manner as they ſhall appoint, (which Compoſition the ſaid Commiſſioners are hereby empowered to make and receive), or until ſuch Perſon, being Treaſurer, Clerk, or Collector, ſhall deliver up all ſuch Books, Papers, and Writings, or Duplicates of the ſame as aforeſaid; but no Perſon who ſhall be committed on Account of his not having ſufficient Goods or Chattels as aforeſaid ſhall be detained in Priſon for any longer Term than Six Calendar Months.

Property of Pavements, &c. veſted in Commiſſioners.

XI. And be it further enacted, That the Property of and in all the Pavements of the Carriage Ways and Footways, and alſo all the Ballaſt or Gravel to be brought or laid within the ſeveral Streets, Squares, and other publick Paſſages and Places already or hereafter to be ſet out or made upon the ſaid Pieces of Ground belonging to the Governors and Guardians of the ſaid Hoſpital as aforeſaid, (and which Pieces of Ground ſhall be deemed and conſidered to be the Limits of this Act), and of and in all Lamps, Lamp Irons, Poſts, Watch Houſes, Watch Boxes, Pumps and Wells, Shrubs and Plants, which now are and which ſhall be erected, fixed, ſunk, made, or planted, and all Materials, Implements, and other Things which ſhall be purchaſed or gotten by virtue or for any of the Purpoſes of this Act, are hereby veſted in the ſaid Commiſſioners appointed and to be appointed by or by virtue of this Act; and they are hereby empowered to cauſe an Action to be brought, or to cauſe to be preferred any Indictment or Information, againſt any Perſon who ſhall take, ſteal, or carry away, injure, or deſtroy, any Part or Parts thereof,

Commiſſioners to cauſe the Streets, Squares, *etc.* to be paved and repaired.

XII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and empowered, from Time to Time, to cauſe the ſeveral Streets, Squares, and other publick Paſſages and Places, already or hereafter to be ſet out or made within the Limits of this Act, both in the Carriage and Footways, to be paved, and ſuch Pavements to be from Time to Time amended and kept in good Repair, upon ſuch Levels, and in ſuch Manner, and with ſuch Sorts and Kinds

Kinds of Materials, as they ſhall judge neceſſary or proper; and alſo to cauſe the ſaid Streets, Squares, and other publick Paſſages and Places, to be cleanſed, lighted, watched, and watered, and the Sides thereof, and alſo the Middle of any Squares or other Places which ſhall be made or ſet out, to be fenced or incloſed with Iron or other Rails, in ſuch Parts and Places, and in ſuch Manner, as the ſaid Commiſſioners ſhall think proper; and all Incroachments, Obſtructions, Nuiſances, and Annoyances therein to be removed, and Drains, Sinks, Gutters, or Watercourſes to be made for conveying the Water off and from the ſaid Streets, Squares, and other publick Paſſages and Places, in ſuch Manner as they ſhall think proper; and that no Perſon ſhall, without the Conſent of the ſaid Commiſſioners, alter the Form or break up the Ground or Pavement of the Carriage Ways or FootWays within any of the ſaid Streets, Squares, or other publick Paſſages or Places, or make the ſame otherwiſe than as ſhall be directed by the ſaid Commiſſioners, upon Pain of forfeiting the Sum of Twenty Shillings for every Offence, and ſuch Perſon ſo offending ſhall alſo pay all the Expences of reſtoring ſuch Ground or Pavement to its former State.

Lamps to be ſet up, and Streets, *etc.* and Houſes to be named and numbered.

XIII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby empowered, from Time to Time, to cauſe ſuch Lamp Irons or Lamp Poſts to be put or affixed upon or againſt the Walls or Palliſadoes of any of the Houſes, Tenements, or Buildings, or in ſuch other Manner within the ſaid intended Streets, Squares, and other publick Paſſages and Places, as they ſhall think proper; and alſo to cauſe ſuch Number of Lamps, of ſuch Sizes and Sorts, to be provided, and affixed or put upon ſuch Lamp Irons and Lamp Poſts as they ſhall think neceſſary for lighting all or any of the ſaid Streets, Squares, and other publick Paſſages and Places; and alſo to cauſe the ſaid Lamps, and alſo the ſeveral Houſes within the ſaid reſpective Streets, Squares, and other publick Paſſages and Places, to be numbered; and ſhall alſo cauſe to be painted, engraved, or deſcribed, in Stone, Wood, or otherwiſe, and to be fixed in a conſpicuous Part of One or more Houſe or Houſes, Building or Buildings, at or near each End, Corner, or Entrance, of each of ſuch Streets, Squares, and other publick Paſſages, the Name by which each reſpective Street, Square, Lane, Court, Yard, Mews, Paſſage, and Place, is to be properly called or known, in ſuch Manner as they ſhall judge moſt proper for diſtinguiſhing the ſame; and if any Perſon ſhall wilfully break, throw down, take away, ſpoil or damage, any ſuch Watch Houſe or Watch Box, or Lamp, or any of the Irons, Poſts, or other Furniture thereof, or wilfully extinguiſh the Light of any ſuch Lamp, or deface or obliterate any ſuch Name or Number, or any Part thereof, every Perſon ſo offending, and not being otherwiſe ſued or proſecuted for the ſame, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings, whereof One Moiety ſhall go to the Informer, and the other Moiety to the Commiſſioners acting under, and to be by them applied for the Purpoſes of this Act, and ſuch Offender ſhall alſo pay to the ſaid Commiſſioners, or to ſuch Perſon as they ſhall appoint to receive the ſame, ſuch Sum of Money as ſhall be a full Satisfaction for the Damage ſo done; and in caſe any Perſon ſhall careleſsly, negligently, or accidentally break, throw down, or otherwiſe ſpoil or damage, any of the ſaid Lamps, or the Irons, Poſts, or other Furniture thereof, and ſhall not, upon Demand, make Satisfaction,

faction for the Damage done thereto, it ſhall be lawful for any Juſtice of the Peace for the County of *Middleſex*, upon Proof thereof made by the Oath of any credible Witneſs, or on the Confeſſion of the Party, to award ſuch Sum of Money, by Way of Satisfaction for ſuch Damage, as ſuch Juſtice ſhall think reaſonable, and in Default of Payment thereof upon Demand, to cauſe the ſame to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon who ſhall have done ſuch Damage, rendering the Overplus, (if any), after deducting the Charges of proſecuting ſuch Complaint, and of ſuch Diſtreſs and Sale, to the Owner of ſuch Goods and Chattels upon Demand.

Commiſſioners may purchaſe or hire Ground for getting Materials, and for building a Watch Houſe, and to erect Watch Boxes.

XIV. And be it further enacted, That the ſaid Commiſſioners may, and they are hereby authorized and empowered either to purchaſe, take, or hire, any Piece or Pieces of Ground for the Purpoſes of digging Gravel for the better paving of ſuch Streets, Squares, and Places as aforeſaid, or for the Purpoſe of depoſiting Materials thereon, for or on Account of ſuch Paving, or for the Purpoſe of erecting a Watch Houſe thereon, or to rent any Building to be made uſe of as or for any other of the Purpoſes of this Act, as ſhall appear to them to be neceſſary, for ſuch Sum or Sums of Money, Yearly Rent or Rents, or for ſuch Time, as to them ſhall appear reaſonable, which Sum and Sums of Money, Yearly Rent and Rents, ſhall be reſpectively paid out of the Monies to ariſe by virtue of this Act; and alſo to erect any Number of Watch Boxes for the Purpoſes of this Act, in ſuch Place or Places as they may think proper; and likewiſe to buy or hire ſuch Horſes, Carts, Teams or Carriages, as may be neceſſary for the Purpoſes of carting ſuch Gravel, or for cleanſing or watering ſuch Streets, Squares, Paſſages, and Places, as aforeſaid, or for any other Purpoſe directed by this Act; and alſo to hire ſuch Perſons, buy ſuch Materials, and make ſuch Regulations, for the better Execution of any ſuch Purpoſes, as they the ſaid Commiſſioners ſhall, in their Diſcretion, think proper.

Commiſſioners may water the Streets.

XV. And be it further enacted, That the ſaid Commiſſioners ſhall have full Power and Authority to cauſe all or any of the Squares, Roads, Streets, Lanes, Paſſages, and publick Places, within the Limits of this Act, to be watered when, where, and ſo often as Need or Occaſion ſhall require, but ſo nevertheleſs as that each diſtinct Street, Square, or Place, ſhall only be watered on the Requiſition of Three Fourths in Value of the Inhabitants of ſuch Street, Square, or Place reſpectively, reckoning according to the Yearly Rent or Value of their Houſes or Buildings therein, as the ſame ſhall be rated for the Purpoſes of this Act, and for thoſe Purpoſes to cauſe ſuch Number of Wells and Pumps to be dug, ſunk, and made, in any of the ſaid Streets, Squares, or other publick Paſſages or Places, as they ſhall think proper, and from Time to Time to alter the ſame as there ſhall be Occaſion, and to defray the Expences thereof out of the Monies to be raiſed by virtue of this Act, provided that no ſuch Well or Pump ſhall be ſunk or made ſo as to injure any Houſe or other Building in, or any Vault or Cellar under, any of the ſaid Streets, Squares, or other publick Paſſages or Places.

Commiſſioners may contract for performing the Works.

XVI. And be it further enacted, That the ſaid Commiſſioners ſhall and may, and they are hereby authorized and empowered from Time to Time, at any of their ſaid Meetings, as Occaſion ſhall require, to contract

tract and agree with any fit Perſon or Perſons for the doing and performing all or any of the Works by this Act authorized or directed to be done and performed, or for ſupplying any of the Materials for the ſame, or ſerving Water for watering the ſaid Streets, Squares, or Places, or any of them, which Contract or Contracts ſhall ſpecify the ſeveral Works to be done, and the Prices to be paid for the ſame, and the Time or Times when the ſame Works ſhall be completed, and the Penalties to be ſuffered in caſe of Non-performance thereof, and ſhall be ſigned by Seven or more of the ſaid Commiſſioners, and alſo by the Perſon or Perſons contracting to perform ſuch Works reſpectively; which Contracts, or a Copy thereof, ſhall be entered in a Book to be kept for that Purpoſe by the Clerk to the Commiſſioners; but previous to the making of any ſuch Contract Fourteen Days Notice, at the leaſt, ſhall be given, in One or more of the publick Newſpapers publiſhed in *London* or *Weſtminſter*, expreſſing the Intention of entering into ſuch Contract, in order that any Perſon or Perſons willing to undertake the ſame may make Propoſals for that Purpoſe, to be offered and preſented to the ſaid Commiſſioners, at a certain Time and Place, in ſuch Notice to be mentioned.

Commiſſioners may employ Surveyors, and ſue for Breach of Contracts.

XVII. And be it further enacted, That the ſaid Commiſſioners ſhall cauſe all and every the Works to be done in purſuance of this Act to be inſpected by their Surveyor or Surveyors, or by ſuch other Perſon or Perſons as they ſhall for that Purpoſe appoint, 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 ſpecified in ſuch Contract or Contracts, then the ſaid Commiſſioners may cauſe an Action to be brought in any of His Majeſty's Courts of Law at *Weſtminſter*, againſt any ſuch Contractor for any Penalty contained in his Contract, and on Proof of the ſigning of the ſaid Contract, and Non-performance thereof at the Time or Times for that Purpoſe to be therein mentioned, the ſaid Commiſſioners ſhall be entitled to, and ſhall recover the full Penalty contained in any ſuch Contract, which, when recovered, ſhall be applied for the Purpoſes of this Act: Provided always, that it ſhall be lawful for the ſaid Commiſſioners (if they think fit) to compound and agree with any Contractor, for any Penalty incurred by him for the Breach or Non-performance of any ſuch Contract, for ſuch Sum of Money as the ſaid Commiſſioners ſhall think proper, not being leſs than the Injury or Damage ſuſtained by the Breach or Non-performance of ſuch Contract, and all Coſts, Charges, and Expences, which ſhall be occaſioned thereby: Provided always, that after the Twenty-firſt Day of *May* One thouſand ſeven hundred and ninety-five, no Contract ſhall be made or entered into in any Year by virtue of this Act, but between the Firſt Day of *February* and the Twenty-fifth Day of *June*, (except in Caſes of the Death of the Contractor, or Failure of the Performance of any Contract), and that no Contract ſhall be made for a longer Time than Three Years.

Commiſſioners may compound for Penalties for Breach of Contracts.

No Contract to be made but between 1ſt *February* and 25th *June*.

Commiſſioners annually to print and diſtribute an Account of Receipts and Diſburſements, &c.

XVIII. And be it further enacted, That the ſaid Commiſſioners ſhall, at their Second Meeting in every Year, order and direct to be forthwith printed, and diſtributed to the ſeveral Inhabitants within the Limits of this Act liable to be rated by virtue thereof, an Account of the Monies received and diſburſed in the preceding Year ſince the laſt Account, and of

and Extracts of Contracts and Penalties.

of the Amount of the Arrears of Rates then due, and Balance of Cash in Hand, and also an Account of every Penalty herein imposed upon any Contractor, and also of all Penalties contained in every Contract for the Time being, for Non-performance thereof, and the Mode prescribed for the recovering or levying of such Penalties, and also of the Times when the respective Streets, Squares, Lanes, and other Passages and Places aforesaid, are to be cleansed, and the Lamps lighted and cleaned.

Householder making Complaint of defective Pavement, Surveyor to view it, and if defective to give Notice to Contractor to amend it.

XIX. And be it further enacted, That if any Householder within the Limits of this Act shall, by Writing under his or her Hand, to be left at the usual Place of Abode of the Surveyor or Inspector to the said Commissioners, make Complaint of any Defect of lighting or cleansing, or Want of Repair in the Pavement in any of the said Streets, Squares, Lanes, or other Passages or Places, the said Surveyor or Inspector in every such Case shall enquire into and examine the Matter of Complaint, and report thereupon to the said Commissioners, at their next Meeting, and if by such Report it shall appear that the Pavement complained of is bad and defective, (unless it shall appear to arise from a Defect relating to the Water Pipes lying under such Pavement), the said Commissioners shall give Notice to the Contractor or Paviour to repair the same within such Time as the said Commissioners shall judge necessary, which Time shall be specified in such Order; and if the Contractor or Paviour to whom such Order shall be given shall not repair and amend such Pavement within the Time directed by such Order, he shall in every Case forfeit and pay the Sum of Twenty Shillings for every Day that the said defective Pavement shall remain unrepaired after the Time limited by such Order, and One Moiety of every such Penalty shall be paid to the Inhabitant so making Complaint, and the other Moiety shall be paid to the said Commissioners, and shall be applied by them for the Purposes of this Act; and if it shall appear by such Report that the Contract for cleansing or lighting shall not have been duly performed, the said Commissioners shall forthwith give Directions for recovering the Penalty under such Contract.

For preventing Incroachments, &c.

XX. And be it further enacted, That all Signs, Sign Posts, Gutters, Screens, and close Fences, which may hereafter belong to or be placed against any of the Houses or other Buildings now erecting or hereafter to be erected or built within the several Streets, Squares, and other publick Passages and Places aforesaid, shall be fixed close to the Fronts of the Houses, Shops, Warehouses, and Buildings, to which they shall respectively belong, and not otherwise, and that the respective Occupiers of any such Houses or other Buildings as aforesaid, at their own Charges, within such Time, and in such Manner, as the said Commissioners shall from Time to Time (by Notice in Writing under the Hands of any Three or more of them, to be delivered to such respective Occupiers, or left at their respective Dwelling Houses) order and direct, cause all Signs which may belong to and shall not be fixed or placed upon such respective Houses or other Buildings in Manner aforesaid, to be taken down and fixed or placed flat on the Fronts thereof, and all Sign Irons, Sign Posts, and other Posts, Pent-houses, Screens, close Fences, Spouts, Steps, Shop Windows, and Cellar Windows, and other Incroachments, Obstructions, Projections, and Annoyances, which may hereafter be made

made by any ſuch Occupiers or other Perſons in, upon, or near, or attached to any ſuch reſpective Houſes or other Buildings, contrary to the Meaning of this Act, to be removed, altered, or reformed, and alſo to cauſe the Water to be conveyed from the Roofs, Cornices, and Penthouſes which belong to ſuch reſpective Houſes or other Buildings, by proper and ſufficient Pipes or Trunks, to be affixed to the Sides of ſuch Houſes and other Buildings reſpectively, and from thence by proper Drains into the Common Drains or Sewers; and in caſe any ſuch Occupier ſhall neglect or refuſe ſo to do, it ſhall be lawful for the ſaid Commiſſioners to cauſe the ſame to be done, and to cauſe all the Coſts and Charges attending the ſame to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Occupier, by Warrant under the Hand and Seal of any Juſtice of the Peace for the County of *Middleſex*, (which Warrant ſuch Juſtice is hereby required and authorized to grant), rendering the Overplus (if any) when demanded, to the Perſon whoſe Goods and Chattels ſhall be ſo diſtrained and ſold; and if the Tenant in Poſſeſſion of any ſuch Houſe or other Building ſhall remove, alter, or reform, any ſuch Incroachments, Obſtructions, Projections, or Annoyances as aforeſaid, according to the Directions of the ſaid Commiſſioners, (except ſuch as ſhall be put up or occaſioned by ſuch Tenant), it ſhall be lawful for every ſuch Tenant to deduct and retain the Charges and Expences thereof out of his or her Rent, and the Landlord of every ſuch Houſe or other Building is hereby required to allow the ſame accordingly; provided always, that nothing herein contained ſhall extend to authorize the ſaid Commiſſioners to ſtop up any Cellar Window where there ſhall be no other Way from the Street, or other publick Paſſage or Place, into ſuch Cellar, unleſs the ſaid Commiſſioners ſhall make or provide ſome other commodious Way into ſuch Cellar; and in caſe the Palliſadoe, Fence, or Railing, for ſeparating the Area of any Houſe or other Building from the Way or Paſſage, ſhall be broken down or out of Repair, or any ſuch Houſe or other Building ſhall otherwiſe be dangerous for Paſſengers, and the Owner or Occupier of ſuch Houſe or other Building ſhall not forthwith (being thereunto required by Writing ſigned by the Surveyor or Clerk of the ſaid Commiſſioners for the Time being) ſet up, amend, or repair, ſuch Palliſadoe, Fence, or Railing, or prevent any ſuch Danger as aforeſaid, it ſhall be lawful for the ſaid Commiſſioners from Time to Time to cauſe the ſame to be ſet up, amended, and repaired, or altered in ſuch Manner as they ſhall judge neceſſary, and to levy the Charges and Expences attending the ſame upon or from the Owner or Occupier of every ſuch Houſe or other Building by Diſtreſs and Sale, in like Manner as any Penalty or Forfeiture is by this Act authorized to be levied.

Penalties on occaſioning Nuiſances.

XXI. And be it further enacted, That if any Perſon ſhall run, drive, or place, or cauſe to be run, driven, or placed, any Coach, Cart, Waggon, Dray, Truck, Sledge, Wheelbarrow, or any Carriage whatſoever, upon or over any of the Foot Pavements within the Limits of this Act, or ſhall wilfully ride, drive, or lead any Horſe, or other Beaſt or Cattle, along or upon any of the ſaid Foot Pavements, or ſhall, within any Street, Square, or other publick Paſſage or Place to be made or laid out within the Limits of this Act, ſlaughter, dreſs, or cut up, any Swine or other Beaſt, or hoop, cleanſe, or ſcald any Caſk, or hew or ſaw any Stone, Wood, or Timber, or bind or make the Wheel of any Carriage, or ſhoe, bleed, dreſs, or farry, or turn or drive looſe any Horſe,

Horſe, or ſet, place, or expoſe to Sale, any Goods, Wares, or Merchandizes, either in the Foot Ways or Carriage Ways to belong to any of the ſaid Streets, Squares, or other publick Paſſages or Places, ſo as to obſtruct or incommode the Paſſage of any ſuch Foot Way or Carriage Way, every Perſon ſo offending in any of the Caſes aforeſaid, ſhall for every ſuch Offence forfeit and pay the Sum of Ten Shillings; and alſo, that if any Perſon or Perſons ſhall ſift, ſcreen, or ſtack, any Lime (except within ſuch Hoard or Incloſure as herein-after is mentioned) in any Street, Square, Paſſage, or Place, within the Limits of this Act, or cauſe the ſame to be ſo done, he or they ſhall forfeit and pay the Sum of Forty Shillings for every ſuch Offence.

Penalty on leaving Carriage, &c. in the Streets.

XXII. And be it further enacted, That if any Waggon, Cart, or other Carriage, ſhall be left to ſtand or remain in any of the Streets, Squares, or other publick Paſſages or Places, within the Limits of this Act, with or without Horſes, for any longer Time than ſhall be neceſſary for the loading or unloading thereof; or if any Stage Coach, Poſt Chaiſe, or other Carriage let to Hire, (except Hackney Coaches), ſhall be left to ſtand or remain in any ſuch Street, Square, Paſſage, or Place, with or without Horſes, for any longer Time than ſhall be reaſonable and neceſſary for taking up or ſetting down the Paſſengers, or for loading or unloading their Baggage or other Loading; or if any Horſe or other Cattle ſhall be ſuffered to ſtand at the Door or Houſe of any Perſon, ſo as to obſtruct or incommode the Paſſage of any of the ſaid Foot Ways; or if any Timber, Bricks, Stones, Dung, Wood, Goods, or other Things, ſhall be laid or placed, and left to remain in any of the ſaid Streets, Squares, and other publick Paſſages or Places, for any longer Time than ſhall be neceſſary for removing or houſing the ſame; or if any Aſhes, Rubbiſh, Duſt, Dirt, or other Nuiſance or Annoyance, ſhall be thrown, caſt, or laid, in any of the ſaid Streets, Squares, or other publick Paſſages or Places, and ſuffered to remain for any longer Time than ſhall be neceſſary for removing the ſame, then and in every ſuch Caſe the Owner or Driver of every ſuch Carriage, and the Owner of ſuch Timber or other Things aforeſaid, and the Perſon who ſhall throw, caſt, or lay any Dung, Aſhes, Rubbiſh, Duſt, Dirt, or other Nuiſance or Annoyance as aforeſaid, or otherwiſe offend in the Premiſes, ſhall for every ſuch Offence forfeit and pay the Sum of Five Shillings; and if any ſuch Timber or other Things, or ſuch Dung, Aſhes, Rubbiſh, Duſt, Dirt, or other Nuiſance or Annoyance, ſhall be ſuffered to remain in any of the ſaid Streets, Squares, or other publick Paſſages or Places, longer than ſhall be neceſſary as aforeſaid, the Surveyor to be employed by the ſaid Commiſſioners is hereby authorized and empowered to cauſe the ſame to be removed to ſuch Place as he ſhall think proper, and the Expence thereof ſhall be paid by the Perſon liable to the Payment of the ſaid Penalty, and ſhall and may, in caſe of Non-payment on Demand, be recovered in like Manner as any Penalty is herein-after authorized or directed to be recovered.

Dirt not to be ſwept into any Common Sewer, or within a certain Diſtance of any Gutter or Channel.

XXIII. And be it further enacted, That no Scavenger or other Perſon to be employed in cleanſing any of the Streets, Squares, or other publick Paſſages or Places within the Limits of this Act, ſhall ſweep, rake, or place, any of the Slop, Mud, Dirt, Duſt, Rubbiſh, Aſhes, Filth, or Soil, to be found in any of ſuch Streets, Squares, or other Places,

or

or brought therein, into any Common Sewer, Drain, or Tunnel thereunto belonging, or cauſe the ſame to be done, but every ſuch Perſon ſhall place, ſweep, or rake, the ſame together, ſo as to lie at the Diſtance of Ten Feet at the leaſt from each of the Grates to belong to or be placed over ſuch Common Sewers, Drains, or Tunnels, and at the Diſtance of Three Feet at the leaſt from the Channel where the Width of the Street, Lane, or Place will admit thereof; and that no Perſon, other than the Scavengers to be employed by or under the ſaid Commiſſioners, ſhall collect, gather, take, or carry away, any Duſt, Cinders, or Aſhes, out of any ſuch Streets, Squares, or other Paſſages or Places aforeſaid; and that no Perſon ſhall uſe or employ any Cart or other Carriage in or about the cleanſing or watering of any of the ſaid Streets, Squares, or other Paſſages or Places, or in carrying any Duſt, Dirt, Cinders, or Aſhes out of the ſame, unleſs the Fellies of the Wheels of ſuch Cart or other Carriage ſhall be of the Breadth or Gauge of Six Inches at the leaſt, or cauſe the ſame to be done; and if any Perſon ſhall offend in any of the Caſes aforeſaid, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings, One Moiety whereof ſhall go to the Informer: Provided nevertheleſs, that nothing in this Act, contained ſhall extend to prevent or hinder the Owners of any ſuch Duſt, Cinders, or Aſhes, to carry away the ſame for their own Uſe, but not for Sale.

No Night Soil to be taken away before Twelve or after Five in Winter, or Four in Summer, or be put or caſt in any Place within the Limits of this Act, or within a certain Diſtance thereof.

XXIV. And be it further enacted, That no Perſon ſhall begin to empty any Bog Houſe, or to take away any Night Soil, or bring or place any Carts for removing the ſame from any Houſe, Place, or Building, now erecting, or hereafter to be erected, built, or made, within the Limits of this Act, before the Hour of Twelve in the Night, or ſhall continue to take away the ſame after the Hour of Five in the Morning between *Michaelmas* and *Lady-day*, or after the Hour of Four in the Morning between *Lady-day* and *Michaelmas*; and that no Perſon ſhall put or caſt, or cauſe to be put or caſt, any ſuch Night Soil out of any Cart, Tub, or otherwiſe, within the Limits of this Act, or within Half a Mile thereof; and if any Perſon ſhall offend herein he ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings, One Moiety whereof ſhall go to the Informer.

Hoards, &c. may be erected;

XXV. Provided always, and be it further enacted, That nothing herein-before contained ſhall hinder or prevent any Perſon from erecting or building any Hoard or other Thing by Way of Incloſure, for the Purpoſe of making Mortar, or depoſiting Bricks or Stone, or making or working up any Lime, Sand, or other Materials uſed in building, or to ſubject him to any Penalty on Account thereof, but ſo nevertheleſs as that every ſuch Perſon ſhall previouſly have and obtain a Licence for that Purpoſe, under the Hand of the Surveyor to the ſaid Commiſſioners, which Licence ſuch Surveyor is hereby required forthwith to grant to any Perſon applying for the ſame, and for which he ſhall receive the Sum of One Shilling and no more, and which Licence ſhall ſpecify the Length and Breadth of every ſuch Hoard, and the Time it is to continue for ſuch Purpoſes as aforeſaid; and if any Perſon ſhall erect any ſuch Hoard or Incloſure of greater Dimenſions than ſhall be ſpecified in, or ſhall ſuffer any ſuch Hoard or Incloſure to remain for any longer Time than ſhall be allowed by ſuch Licence, every Perſon ſo offending ſhall for

every ſuch Offence forfeit and pay any Sum not exceeding Ten Shillings for every Day of Twenty-four Hours that ſuch Hoard or Incloſure, or any Part thereof, ſhall be continued, after Notice ſhall have been given by the Surveyor to take down and remove the ſame.

Scavenger's Duty.

XXVI. And be it further enacted, That all Perſons contracting with the ſaid Commiſſioners for cleanſing the ſaid Streets, Squares, and other publick Paſſages or Places as aforeſaid, ſhall Once in every Fortnight, or oftener if the Commiſſioners ſhall ſo direct, between the Hours of Three in the Morning and Eight in the Evening, attend in all and every the Streets, Squares, and other publick Paſſages and Places within the Limits of this Act, of which Attendances they ſhall reſpectively give Notice, by ringing a Bell, and ſhall give One Day's Notice at the leaſt, in Writing, to the Surveyor to the ſaid Commiſſioners, ſpecifying the particular Day in each Week when they are to attend in each of the ſaid reſpective Streets, Squares, and other publick Places, for the Purpoſes aforeſaid, of which the ſaid Surveyor ſhall make an Entry in a Book, and ſuch Surveyor ſhall on that Day inſpect the ſaid Streets and other Places, to ſee if the Work is properly performed, and ſhall make an Entry thereof in the ſame Book; and the Perſons ſo contracting ſhall alſo, upon the Requeſt of any of the Inhabitants, or their Servants or Lodgers, go into all and every of the Houſes and other Places where any Duſt, Cinders, or Aſhes ſhall be depoſited, and take and put into Carts, and carry away the ſame; and if any Perſon ſo contracting, or any Perſon to be employed by him, ſhall neglect or refuſe ſo to do, he ſhall forfeit and pay for every Neglect or Refuſal any Sum not exceeding Twenty Shillings, One Moiety of ſuch Penalty ſhall be paid to the Inhabitant complaining.

Inhabitants exempted from Office of Scavenger and Surveyor of Highways, from hanging out Lights, &c.

XXVII. And be it further enacted and declared, That all and every the Inhabitants and Occupiers of Lands, Houſes, Buildings, Tenements, and Hereditaments within the Limits of this Act, ſhall be abſolutely freed, exempted, exonerated, diſcharged, and indemnified of, from, and againſt, the Execution and Service of the Office of Scavenger within the Limits of this Act, and from hanging out of Lights in any of the ſaid Streets, Squares, and other publick Paſſages or Places, and all Preſentments and Returns of Annoyance Jurors, Conſtables, or other Officers, for and in reſpect of dangerous and defective Pavements, Defaults of Lighting, and all Annoyances, Obſtructions, and Incroachments within the ſaid Streets, Squares, Paſſages, and Places, and all Pains, Penalties, Duties, and Services, for or concerning any ſuch dangerous or defective Pavements, Defaults of Lighting, Annoyances, Obſtructions, and Incroachments, under or by virtue of any Act or Acts of Parliament heretofore made; and alſo, that ſo much and ſuch Part or Parts of all and every Act or Acts of Parliament as directs or veſts the Power of paving, repairing, lighting, watching, watering, or cleanſing, all or any of the Streets, Squares, Lanes, or Places, hereby made ſubject to the Powers of this Act, to be in the Commiſſioners appointed by or in purſuance of any ſuch Act or Acts, or veſt in them the Property of all or any Stones or other Materials of or in any of the ſaid Squares, Streets, Lanes, and Places laſt-mentioned, ſhall from henceforth be, and the ſame are and is hereby repealed and made abſolutely null and void.

XXVIII. And

XXVIII. And be it further enacted, That when and ſo often as any Pipe belonging or to belong to any of the Water Companies, who ſhall hereafter furniſh the Inhabitants within the Limits of this Act with Water, ſhall happen to burſt or be out of Repair in any of the ſaid Streets, Squares, Paſſages, or Places, the Surveyor to the ſaid Commiſſioners, or any other Perſon or Perſons to be by them appointed for that Purpoſe, ſhall forthwith give Notice to the Paviour of the Water Company to whom he ſhall apprehend the ſame to belong, requiring him to take up the Pavement and open the Ground at or near the Place where the Water ſhall or may iſſue by Reaſon of the burſting or breaking of any ſuch Pipe, within Three Days next after ſuch Notice given to or left at the uſual Place of Abode of ſuch Paviour; and when, upon taking up the Pavement and opening the Ground, it ſhall appear to what Water Company ſuch Pipe ſhall belong, then the Surveyor to the ſaid Commiſſioners, or ſuch other Perſon or Perſons as they ſhall appoint, ſhall give Notice to the Paviour of ſuch laſt-mentioned Company, or leave the ſame at his laſt or uſual Place of Abode, and the Paviour of the Company to whom ſuch Pipe ſhall belong, is hereby required to repair or cauſe to be repaired ſuch Water Pipe, and to fill in the Ground over the ſame, in ſuch Manner as the Surveyor to the ſaid Commiſſioners for the Time being ſhall direct, within Two Days next after ſuch Notice ſhall be ſo given or left as aforeſaid; and if it ſhall happen that the Paviour who firſt received Notice to take up the Pavement and open the Ground ſhall, on ſo doing, diſcover that ſuch defective Pipe doth not belong to the Company whoſe Paviour he is, then and in ſuch Caſe the Paviour of the Company to whom ſuch Pipe ſhall belong ſhall make Satisfaction to the Paviour who took up ſuch Pavement and opened ſuch Ground as aforeſaid; and in caſe the Paviour to whom ſuch Notice ſhall be given to take up ſuch Pavement and open ſuch Ground ſhall neglect or refuſe to do the ſame within Three Days next after ſuch Notice given, or in caſe the Paviour of the Company to whom ſuch defective Pipe ſhall belong ſhall refuſe or neglect to amend or repair ſuch Pipe, and fill in the Ground in ſuch Manner as the ſaid Surveyor ſhall direct as aforeſaid, for the Space of Two Days next after ſuch Notice ſhall be given or left as aforeſaid, then, and in every ſuch Caſe, the Perſon guilty of ſuch Neglect ſhall for every ſuch Offence forfeit and pay the Sum of Five Pounds; and if any Pipe (other than ſuch as ſhall belong to any of the Water Companies) ſhall happen to break or burſt in any of the ſaid Streets, Squares, Paſſages, or Places, the Owner or Owners thereof ſhall cauſe the Ground to be opened, and ſuch Pipe to be repaired, within the Time herein-before reſpectively limited for ſuch Purpoſes, and alſo ſhall forthwith give Notice to the Surveyor of the ſaid Commiſſioners, or ſuch other Perſon or Perſons ſo appointed by them as aforeſaid, to re-lay the Pavement ſo broken or taken up, on Pain of forfeiting for every ſuch Neglect or Refuſal the Sum of Forty Shillings, or if any Pavement ſhall be broken or taken up by the Commiſſioners of Sewers, or any other Perſon or Perſons, for the Purpoſe of making, repairing, or altering, any Sewer or Drain, or for any other Purpoſe whatſoever, the Surveyor for the Time being to ſuch Commiſſioners of Sewers, or ſuch other Perſon or Perſons, ſo breaking or taking up the ſaid Pavement, ſhall forthwith give Notice thereof to the Surveyor or Paving Contractor or Contractors, appointed or employed by the ſaid Commiſſioners to re-lay or repair the Pavement ſo broken

Regulations for mending Water Pipes.

broken or taken up as aforeſaid, upon Pain of forfeiting for every ſuch Neglect or Refuſal the Sum of Forty Shillings, and if the ſaid Surveyor to or for whom ſuch Notice ſhall be given or left as aforeſaid, ſhall neglect or refuſe to acquaint the Paving Contractor or Contractors appointed by the ſaid Commiſſioners with ſuch Notice, or if ſuch Contractor or Contractors ſhall not, within Two Days next after ſuch Notice from ſuch Surveyor, or other Perſon or Perſons reſpectively, re-lay or repair the ſame, then, and in every ſuch Caſe, the Perſon or Perſons ſo reſpectively offending ſhall, for every ſuch Offence, forfeit and pay the Sum of Twenty Shillings, and the like Sum of Twenty Shillings for every Day ſuch Pavement ſhall continue without being re-layed or repaired after the Expiration of the ſaid Two Days.

Pavement taken up for repairing Water Pipes to be re-laid.

XXIX. And be it further enacted, That whenever the Pavement of any of the ſaid Streets, Squares, Paſſages, or Places, ſhall, (after the ſame ſhall have been completed by virtue of this Act), be taken up by any Perſon or Perſons employed by any of the ſaid Water Companies, for the Purpoſe of laying, altering, or repairing, any Water Pipe, the ſaid Pavement ſhall, with all convenient Speed, be re-laid and repaired at the Expence of the Company or Companies to whom ſuch Pipe ſhall belong, by the Paviour or Paviours contracting with or employed by the ſaid Commiſſioners; but if, for the Purpoſes of this Act, it ſhall at any Time be found neceſſary to raiſe, ſink, or otherwiſe alter the Poſition of any of the Pipes or Plugs laid down or placed by any of the ſaid Companies within the Limits of this Act, the ſame ſhall be done with as little Detriment or Inconvenience to the Company or Companies to whom the ſame ſhall belong, as the Circumſtances of the Caſe will admit of, and the Expence thereof ſhall be defrayed by the ſaid Commiſſioners out of the Money ariſing by virtue of this Act.

Paviours and Turncocks to give Notice of their Abodes to the Surveyor, &c.

XXX. And be it further enacted, That the ſeveral and reſpective Paviours and Turncocks now appointed, or hereafter to be appointed, in caſe of the Death or Removal of any ſuch Paviour or Turncock belonging to the ſaid reſpective Water Companies, ſhall, and they are hereby required, within the Space of Forty Days after the paſſing 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 a Notice in Writing to the Surveyor or Surveyors of the ſaid Commiſſioners for the Time being, or to ſuch other Perſon or Perſons as ſhall be by them appointed for that Purpoſe, which Notice ſhall contain the Name and Place of Abode of every ſuch Paviour or Turncock, as alſo to what Company he is Paviour or Turncock, and in what Diſtrict he has the Care of the Pipes belonging to ſuch Company or Companies; and in the like Manner the Surveyor or Surveyors for the Time being to the ſaid Commiſſioners ſhall, within the reſpective Times aforeſaid, give Notice to the reſpective Paviours or Turncocks of the ſaid ſeveral Water Companies, and alſo to the Surveyor or Surveyors to the Commiſſioners of Sewers, of his or their own Place or Places of Abode, and likewiſe of the Names and Places of Abode of ſuch Paving Contractor or Contractors, or Perſon or Perſons employed as Paviour or Paviours by the ſaid Commiſſioners; and every Perſon neglecting or refuſing to give ſuch Notice as aforeſaid, within the Times before reſpectively ſpecified, ſhall forfeit the Sum of Forty Shillings for every ſuch Offence.

XXXI. And

Commissioners of Sewers to repair Drains, &c. under their Direction.

XXXI. And be it further enacted, That when and so often as any Sewer or Drain, which shall or may be under the Direction of the Commissioners of Sewers, in any of the said Streets, Squares, Passages, or Places, shall require to be repaired, altered, cleansed, or emptied, or any new or additional Sewer or Drain shall be necessary to be made, or any new or additional Grate to be put and placed over any Sewer in any of the said Streets, Squares, or Places, or any old Grates over the same shall require to be repaired, removed, or altered, then, and in every such Case, the said Commissioners of Sewers shall, within Three Days next after Notice given to or left for their Surveyor for the Time being, at his last or usual Place of Abode, by the Surveyor to the Commissioners for putting this Act in Execution, cause such Sewer or Drain to be made, repaired, altered, cleansed, or emptied, or such new and additional Grates to be made and put down, or such old Grates to be repaired, removed, or altered; and in Default thereof, it shall be lawful for the said Commissioners for putting this Act in Execution, or their Surveyor, to cause such Sewer or Drain to be made, repaired, altered, cleansed, or emptied, or such new and additional Grates to be made and put down, or such old Grates to be repaired, removed, or altered, as the Case may require, or so much of the said Works to be completed as shall remain unfinished: Provided always, that the Charges and Expences of re-laying or repairing the Pavement which shall be broken or taken up for the Purpose of repairing or amending any such Pipe, not belonging to any of the Water Companies, shall be paid to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same, by the Owner or Owners of such Pipe, and that the Charges and Expences of making, repairing, altering, cleansing, or emptying, any such Sewer or Drain, and of making or putting down any such new or additional Grates, and altering or repairing such old Grates, and of re-laying or repairing the Pavement so broken or taken up for any of the Purposes aforesaid, shall be paid to the said Commissioners, or to such Person or Persons as they shall, at any such Meeting as aforesaid, appoint to receive the same, by the Treasurer or Clerk to the said Commissioners of Sewers, or by the Person or Persons who shall take up or cause the said Pavement to be taken up for the Purposes aforesaid; and in case the Owner or Owners of such Pipe as aforesaid, or the Treasurer or Clerk of the said Commissioners of Sewers, or other Person or Persons as aforesaid, shall neglect or refuse to pay what shall have been so laid out or disbursed for the Purposes aforesaid, within Ten Days next after Notice thereof in Writing, signed by the Clerk to the Commissioners for putting this Act in Execution, and left at their respective Dwelling Houses or last Place of Abode, together with a Bill annexed thereto, (which Bill shall contain an Account of such Charges and Expences), then, and in every such Case, it shall be lawful for the said Commissioners for putting this Act in Execution, and they are hereby authorized and empowered to bring, or cause to be brought, an Action against all or any or either of the respective Persons aforesaid, for the Recovery of such Sum or Sums of Money as the said Commissioners shall have so laid out and expended for the Purposes aforesaid.

Owners of Pipes to pay the Expences of repairing them, &c.

Commissioners to have the same Power as Commissioners of Sewers.

XXXII. And whereas the Commissioners of Sewers in some Parts of the Year do not meet for a considerable Interval of Time from their last preceding Meeting, from which great Inconveniencies may arise; be it therefore enacted, That the Commissioners for putting this Act in Execution

cution shall have the same Authority to hear and determine, in all Cases relating to the Sewers within the Limits of this Act, and to enforce their Determination, as the Commissioners of Sewers now enjoy.

Expences of altering Pipes, &c. in consequence of new Paving, to be paid out of the Rates.

XXXIII. Provided nevertheless, That if at any Time it shall be found necessary to raise, sink, or any otherwise alter the Position of any of the Pipes or Plugs to be laid down or placed by any of the Companies who shall furnish the Inhabitants within the Limits of this Act with Water, or of any Leaden or other Pipes which belong to any of the said Water Companies, or to any other Person or Persons, which, for the Purpose of carrying Water into any House, Area, or any other Place, shall be laid into or from any such Pipe or Pipes, or to remove or replace the Grates over any of the Common Sewers, for the Purpose of new paving or altering the Pavement of any of the said intended Streets, Squares, Passages, or Places, the Expence thereof shall from Time to Time be paid out of the Money arising or to arise by virtue of this Act, and such Works shall always be done with as little Detriment and Inconvenience to the said respective Companies or Inhabitants as the Circumstances of the Case will admit.

Proprietors requesting Pipes to be altered to pay the Expences;

XXXIV. Provided always, That when and so often as any Part of the Pavements of the said Streets, Squares, Passages, or Places, shall be taken up by any Person or Persons for the Purpose of placing, altering, or amending, any such Pipe, the same shall with all convenient Speed be repaired by the Paviour or Paviours contracted with or employed by the said Commissioners for putting this Act in Execution, or under the Direction of their Surveyor, at the Expence of the Proprietor or Proprietors of the said Pipes respectively, if such Pipe shall be replaced, altered, or amended, at the Request of such Proprietor or Proprietors, and not otherwise.

or the Commissioners may compound with them.

XXXV. Provided also, That it shall be lawful for the said Commissioners for putting this Act in Execution from Time to Time to compound and agree with any of the said Proprietors for a certain Sum of Money, by the Foot or other Measure, as they the said Commissioners, or any Seven or more of them, shall think reasonable, in Lieu or Stead of their laying down and repairing such Parts of the Pavements of the said intended Streets, Passages, or Places, as shall be necessary to be taken up for the Purposes aforesaid.

Watchmen to be appointed.

XXXVI. And be it further enacted, That the said Commissioners for putting this Act in Execution may and are hereby authorized and empowered, from Time to Time, to appoint such Number of Watchmen and Patroles, to be employed within the Limits of this Act, for so long Time in the Night, under such Regulations, and for such Wages, as they shall think proper, and to provide them with proper Arms, Ammunition, Weapons, and Cloathing, for the Discharge of their Duty; and if any Watchman or Patrole, appointed as aforesaid, shall refuse or neglect to perform his Duty, or shall in anywise misbehave himself in the Execution of his Office, he shall forfeit and pay any Sum not exceeding Ten Shillings for every such Offence.

Duty of Watchmen.

XXXVII. And be it further enacted, That the Watchmen to be appointed and employed as aforesaid shall, during the Time of their being upon Duty, use their utmost Endeavours to prevent any Mischief by Fire,

Fire, and alſo any Burglaries, Robberies, Affrays, and other Outrages and Diſorders within the Limits of this Act; and it ſhall be lawful for the ſaid Watchmen, or any of them, and they are hereby reſpectively authorized and required, while on Duty, to apprehend and ſecure all Malefactors, Rogues, Vagabonds, and other diſorderly Perſons, within the Limits of this Act, who ſhall diſturb the publick Peace, or whom they ſhall have Cauſe to ſuſpect of any evil Deſign, and to ſecure and keep in ſafe Cuſtody every ſuch Perſon, in order that he or ſhe may be conveyed, as ſoon as conveniently may be, before ſome Juſtice of the Peace for the County of *Middleſex*, to be examined and dealt with according to Law; and if any Perſon or Perſons ſhall aſſault or reſiſt, or ſhall promote or encourage the aſſaulting or reſiſting any of the ſaid Watchmen in the Execution of their Duty, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds; and if any Victualler, or Keeper of any Publick Houſe, ſhall knowingly harbour or entertain any Watchman to be employed within the Limits of this Act, or permit or ſuffer any ſuch Watchman to be and remain in his Houſe during any Part of the Time appointed for his being on Duty, every ſuch Victualler or Keeper of ſuch Publick Houſe ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

Rates.

XXXVIII. And, for raiſing Money to enable the ſaid Commiſſioners appointed and to be appointed by or by virtue of this Act to carry the ſeveral Purpoſes of this Act into Execution, be it further enacted, That One or more Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall, for the Purpoſe of repairing, paving, cleanſing, lighting, watering, and watching of the ſeveral Streets, Squares, and other publick Paſſages and Places, which ſhall be within the Limits of this Act, be laid and aſſeſſed by the ſaid Commiſſioners for putting this Act in Execution Once in every Year, or oftener if they ſhall judge it needful, upon all and every Perſon and Perſons who ſhall inhabit, hold, uſe, occupy, poſſeſs, or enjoy any Land, Ground, Houſe, Shop, Warehouſe, Coach Houſe, Stable, Cellar, Vault, Building, or Tenement, in any of the ſaid Streets, Squares, and other publick Paſſages and Places, in ſuch Sum or Sums of Money as the ſaid Commiſſioners ſhall order and direct, but ſo nevertheleſs as that ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, do not exceed in the Whole in any One Year the ſeveral Sums of Money next herein-after mentioned; (that is to ſay), For paving, cleanſing, and lighting the ſaid ſeveral Streets, Squares, and other publick Paſſages and Places, after the Rate of Two Shillings in the Pound, according to the Yearly Rent or Value of ſuch Houſes, Shops, Warehouſes, Coach Houſes, Stables, Cellars, Vaults, Buildings, and Tenements, which are or ſhall be ſituate within the Limits of this Act; for railing and ornamenting the Areas or middle Spaces of the Squares or other Places which are or ſhall be laid out and made within the Limits of this Act, after the Rate of One Shilling in the Pound, according to the Yearly Rent or Value of ſuch Houſes as ſhall be erected and built in ſuch reſpective Squares or Places; for watching the ſaid Streets, Squares, and other publick Paſſages and Places, after the Rate of Sixpence in the Pound, according to the Yearly Rent or Value of ſuch Houſes, Shops, Warehouſes, Coach Houſes, Stables, Cellars, Vaults, private Buildings, and Tenements, which are or ſhall be ſituate within the Limits of this Act; and for watering of ſuch Streets, Squares, and other publick Paſſages and Places, after the Rate of Sixpence in the Pound, according

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ing to the Yearly Rent or Value of the Houſes, Shops, Warehouſes, Coach Houſes, Stables, Cellars, Vaults, private Buildings, and Tenements, which ſhall be ſituate within the reſpective Streets, Squares, and other publick Paſſages and Places from Time to Time to be watered in purſuance and according to the Directions of this Act; in the making of which ſeveral Rates or Aſſeſſments the Stables, Coach Houſes, Erections, or other Buildings, which ſhall belong to or be reſpectively held and occupied with any of the Houſes to be erected or ſituate in any of the ſaid intended Squares, ſhall be reſpectively rated together and along with ſuch Houſes, and not as ſeparate Buildings; and that the ſaid Commiſſioners ſhall cauſe ſeparate and diſtinct Accounts to be kept of the Produce of the ſaid reſpective Rates or Aſſeſſments, and of the Application of the ſame reſpectively.

How the Yearly Value of Houſes, &c. is to be aſcertained.

XXXIX. And be it further enacted, That the Annual Value of all ſuch Lands, Grounds, Houſes, Shops, Warehouſes, Coach Houſes, Stables, Cellars, Vaults, Buildings, and Tenements, ſo to be reſpectively rated and aſſeſſed as aforeſaid, ſhall be ſettled and aſcertained according to the real Rack Rent, or full Yearly Value thereof, or in any fair and equal Proportion of ſuch real Rack Rent, or full Yearly Value, as the ſaid Commiſſioners ſhall think proper; and the Firſt Year for which ſuch Rates or Aſſeſſments as aforeſaid ſhall be made, ſhall commence for or in reſpect of ſuch Houſes or other Buildings as now are, or ſhall be then erected, built, and tiled in, within the Limits of this Act, from the Twenty-fourth Day of *June* One thouſand ſeven hundred and ninety-four, and for or in reſpect of all ſuch Houſes or Buildings thereafter to be erected or built within the Limits of this Act, ſuch Firſt Year ſhall commence from the next Quarter Day after the Pavements ſhall have been made in the Front, as far as the Middle of the Street, Square, or Place, on which they ſhall reſpectively abut; and the Money ſo rated and aſſeſſed under or in purſuance of this Act, ſhall from Time to Time be paid to the Collectors to be appointed as aforeſaid, at ſuch Time or Times in every Year, and in ſuch Manner, as the ſaid Commiſſioners ſhall order and direct, and ſhall be paid over by ſuch Collectors into the Hands of the Treaſurer to the ſaid Commiſſioners, or ſuch Banker or other Perſon or Perſons as they ſhall order or direct for that Purpoſe.

Empty Houſes to be charged with Half Rates.

XL. Provided always, That when any of the ſaid Houſes or other Buildings, after the ſame ſhall have been Once inhabited or occupied, ſhall at the Time of making any of the ſaid Rates or Aſſeſſments be empty or unoccupied, then and in every ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners to rate and aſſeſs ſuch Premiſes reſpectively at One Half of ſuch Rates or Aſſeſſments, and no more, during the Time only ſuch Premiſes ſhall be empty or unoccupied; and alſo in caſe any ſuch Premiſes, after the making of any ſuch Rate or Aſſeſſment ſhall become empty or unoccupied, One Half only of ſuch Rates or Aſſeſſments ſhall be charged on ſuch Premiſes reſpectively, for and during ſo long Time as the ſame ſhall continue empty or unoccupied, and then and in every ſuch Caſe the ſaid Rates or Aſſeſſments, and all Arrears due thereon, ſhall be paid by the Perſon or Perſons for the Time being entitled to ſuch Premiſes, or by the Firſt or any other Tenant or Occupier thereof, and every ſuch Tenant or Occupier ſhall and may, and is hereby authorized to deduct and retain the ſame out of his or her Rent, and the Perſon or Perſons for the Time being entitled to ſuch Premiſes is and are hereby required

quired to allow such Deduction; and that where any House, Building, or Tenement, in respect whereof any Rate or Assessment shall be made as aforesaid, shall be let to more than One Tenant, any One or more of such Tenants shall be deemed the Occupier or Occupiers thereof, for the Purposes of this Act.

Proportion of Rates to be paid by Persons removing.

XLI. Provided also, That in all Cases where any Person shall remove from, or quit any House, Building, or Tenement, which shall be rated or assessed by virtue of this Act, such Person shall be liable to such Rate or Assessment, in Proportion to the Time that he or she occupied the same, and in all Cases where any Person shall come into or occupy any House, Building, or Tenement, rated or assessed as aforesaid, out of or from which any other Person, who shall have been rated or assessed for the same, shall be removed, or which, at the Time of making any Rate or Assessment, was empty or unoccupied, the Person coming into or occupying the same shall be liable to pay such Rate or Assessment in respect thereof, in Proportion to the Time that he or she occupied the same, which said respective Proportions, in case of Dispute, shall be settled and ascertained by the said Commissioners.

Publick Buildings to be rated according to the Number of Square Yards of Paving belonging thereto.

XLII. Provided always, and be it further enacted, That the Rates or Assessments to be made and laid by virtue of this Act, upon or in respect of any Chapel, Meeting House, Hospital, School, or other publick Building, or any Wall or void Space of Ground, which shall not be rated to the Relief of the Poor of the Parish wherein the same shall be situate by a Pound Rate, shall be ascertained according to the Number of Square Yards of Pavement paved or repaired, cleansed, lighted, watched, or watered, under or by virtue of this Act, belonging to such Chapel, Meeting House, Hospital, School, or other publick Building, Wall, or void Space of Ground, measuring the same from such Chapel, Meeting House, Hospital, School, Building, Wall, or Space of Ground, to the Middle of the Street, Square, or Place, on which the same shall respectively abut, and the same shall never exceed in any One Year the Sum of Sixpence for every such Square Yard; and such Rates or Assessments to be made and laid upon such Chapel, Meeting House, Hospital, School, or other publick Building, Wall, or void Space of Ground, shall be paid by the Chapel Wardens, or Owners or Proprietors thereof respectively, but so nevertheless as that no Rate or Assessment shall by virtue of this Act be laid upon, or collected or received, for or in respect of any Wall, or void Space of Ground, unless the same shall abut upon or front some Street, Lane, or Place, to be paved, cleansed, or lighted, as aforesaid.

Foundling Hospital not to be rated higher than a certain Annual Value.

XLIII. Provided also, That the aforesaid Hospital commonly called *The Foundling Hospital*, and the Offices, Buildings, and Ground, belonging or to belong thereto, and used for the Purposes of the Hospital, shall be rated or assessed, for all or any of the Purposes of this Act, after or according to such Annual Sum or Value as shall be equal to Three-fifth Parts of the Amount of the several Annual Values which shall be rated or assessed upon the several Houses abutting upon *Guilford Street* from *Milman Street* to the *Mews* opposite to *Lansdown Place*, and the several Houses now built or hereafter to be built, abutting and adjoining upon such other Streets or Ways as do or shall immediately adjoin the Boundary Walls or Fences of the said Hospital.

Houſes, &c. abutting on *Gray's Inn Lane Road* to be exempt from Rates.

XLIV. And be it further enacted, That none of the Houſes or other Buildings now erected, or hereafter to be erected, upon any Part or Parts of the Ground within the Limits of this Act which do or ſhall front or abut upon *Gray's Inn Lane* or *Gray's Inn Lane Road*, ſhall be rated or aſſeſſed for or towards the Purpoſes of this Act, or any of them.

Rates of Houſes let to Ambaſſadors, &c. to be paid by Landlords.

XLV. And be it further enacted, That every Rate or Aſſeſſment which ſhall be laid or aſſeſſed, by virtue of this Act, for or in reſpect of any Houſe, Building, Coach Houſe, Stable, or Tenement, which any Ambaſſador, Reſident, Agent, or other publick Miniſter, of any Foreign Prince or State, or the Servant of any ſuch Ambaſſador, Reſident, Agent, or other publick Miniſter, or any other Perſon not liable by Law to pay ſuch Rate or Aſſeſſment, ſhall hereafter inhabit, ſhall be paid by and recoverable from the Landlord or Proprietor of every ſuch Houſe, Building, Coach Houſe, Stable, or Tenement, who ſhall for that Purpoſe be deemed the Occupier thereof.

Poors Rates may be inſpected.

XLVI. And be it further enacted, That it ſhall be lawful for any Perſon or Perſons, having an Order under the Hands of any Three or more of the ſaid Commiſſioners, to inſpect or take Copies or Extracts of any Rates made for raiſing Money for the Relief and Maintenance of the Poor within the ſaid ſeveral Pariſhes, which Inſpection, Copies, and Extracts, the Perſon and Perſons having the Cuſtody of ſuch Rates reſpectively are hereby required to permit and ſuffer to be made without Fee or Reward, upon the producing of ſuch Order; and in caſe any Perſon having the Cuſtody of any ſuch Rates ſhall neglect or refuſe ſo to do within Three Days after ſuch Order ſhall have been produced and ſhewn to him, or a Copy thereof left at his uſual Place of Abode, he ſhall for every ſuch Neglect or Refuſal forfeit and pay any Sum not exceeding Forty Shillings.

Recovery of Rates.

XLVII. And be it further enacted, That in caſe any Perſon, who ſhall be rated or aſſeſſed, or ſubject or liable to the Payment of any Rate or Aſſeſſment by virtue of this Act, ſhall neglect or refuſe to pay any ſuch Rate or Aſſeſſment to any Collector to be appointed as aforeſaid, for the Space of Ten Days after Perſonal Demand thereof made, or Demand in Writing left at the uſual or laſt Place of Abode of ſuch Perſon, it ſhall be lawful for any Juſtice of the Peace for the County of *Middleſex*, upon Proof made upon Oath of ſuch Demand and Non-payment, by Warrant under his Hand and Seal, to authorize and direct the ſaid Collector to levy ſuch Rate or Money ſo in Arrear, together with the Coſts and Charges attending the ſame, to be aſcertained by ſuch Juſtice, by Diſtreſs and Sale of the Goods and Chattels of the Perſon ſo refuſing or neglecting to pay as aforeſaid, rendering the Overplus (if any) to the Owner of ſuch Goods and Chattels on Demand.

Perſons paying the Rates to be diſcharged from the Expence of paving, &c.

XLVIII. And be it alſo enacted, That all Perſons paying the Rates and Aſſeſſments laid or aſſeſſed by virtue of this Act, ſhall be and are hereby exempted and diſcharged from the Expence of paving, cleanſing, lighting, watching, watering, or keeping in Repair, the ſaid ſeveral Streets, Squares, Paſſages, or Places, or any of them, and alſo from all Penalties, which may or might be incurred by Reaſon of their neglecting to pave, cleanſe, light, or keep the ſame in Repair.

XLIX. And

XLIX. And whereas several Persons have already paved, and may hereafter, at their own Expence, pave some Part or Parts of the Ground before the Houses or Buildings now erecting, and hereafter to be erected within the Limits of this Act, or have formed and gravelled the Carriage Ways in Front of the same; and it is reasonable that such Persons should have some Allowance in respect of so much of such Pavement or Gravel as may be used for the Purposes of this Act: Be it therefore further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from and out of the Money to arise under this Act, to make and pay to such Persons respectively such Payments or Allowances, for or in respect of the Pavement made or to be made by them as aforesaid, or the Materials thereof which may be made use of for the Purposes of this Act, as to them the said Commissioners shall appear to be fair and reasonable. Commissioners may make Allowances to such Persons as may have paved at their own Expence.

L. And, for the more speedy raising Money for the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered from Time to Time to borrow and take up at Interest any Sum or Sums of Money, upon the Credit of the Rates or Assessments herein-before granted, and by Writing under their Hands and Seals to mortgage or assign over the said Rates or Assessments to the Person or Persons who shall advance or lend such Money, or his or their Trustee or Trustees, as a Security for the Money so to be borrowed, together with Interest for the same; and every such Assignment may be according to the Form following; *(videlicet)*, Commissioners may borrow Money.

'BY virtue of an Act of Parliament, made in the Thirty-fourth Year of the Reign of King *George* the Third, intituled [*set forth the Title of the Act*] We, being of the Commissioners appointed by virtue of the said Act, in Consideration of the Sum of advanced and lent by *A. B.* to *C. D.* the Treasurer appointed in pursuance of the said Act, upon the Credit and for the Purposes of the said Act, do grant and assign unto the said *A. B.* his Executors, Administrators, and Assigns, such Proportion of the Rates or Assessments arising by virtue of the said Act as the said Sum of doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the said Act, to be had and holden from this Day, until the said Sum of with Interest at *per Centum per Annum* for the same, to be paid Half-yearly, shall be repaid and satisfied. In Witness whereof, we have hereunto set our Hands and Seals, this Day of

And every such Assignment shall be good, valid, and effectual, in the Law.

LI. Provided always, That in case the said Commissioners shall think it advisable to raise all or any Part of the Money necessary for the Purposes of this Act by the granting of Annuities for the Life or Lives of any Person or Persons, then it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant any Annuity or Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer to the said Commissioners, any Sum or Sums of Money for the absolute Purchase of any such Annuity or Annuities, to be paid and payable Money may be raised by Annuities.

able during the natural Life of every such Contributor, or the natural Life of every such Person as shall be nominated by or on the Behalf of such Contributor at the Time of the Payment of his or her Contribution or Purchase Money, and either with or without Benefit of Survivorship, and in such Class or Classes, and Manner, as the said Commissioners shall think most proper and advantageous for obtaining and fulfilling the several Purposes intended by this Act, and as shall appear to be the least burthensome to the Persons who will be affected thereby, so as that no such separate Annuity do exceed the Rate of Ten Pounds for One hundred Pounds for a Year, and so as that no such Annuity which shall be classed with others, to which Benefit of Survivorship shall be annexed, on the dropping of any other Life or Lives respectively to be named in any such Class, shall exceed the Rate of Five Pounds for One hundred Pounds for a Year.

Purchasers of such Annuities to have Receipts;

and an Order for Payment of their Annuities.

LII. And be it further enacted, That every Contributor for the Purchase of any such Annuity as aforesaid, upon the Payment of the Consideration or Purchase Money for the same, or any Part thereof, shall have a Receipt or Receipts purporting to be a Receipt for so much Purchase Money as shall be so paid; and upon Payment of all the Purchase Money for any such Annuity, every such Contributor, his, her, or their Assigns respectively, shall have an Order, written on Parchment or Vellum, for Payment of the said Annuity, either with or without such Benefit of Survivorship, as shall be agreed to be annexed thereto, for and during his or her natural Life, or the Life of such Person as shall be nominated by such Contributor or Contributors as aforesaid, which Order shall be signed by any Five or more of the said Commissioners, and after such signing thereof the same shall be a good and effectual Security for the Payment of such Annuity, and other Benefits and Advantages, as shall be thereby granted, secured, or ordered to be paid, according to the Purport and true Meaning thereof and of this Act; which said several Annuities so to be purchased shall be, and are hereby charged upon, and shall be paid out of the Rates or Assessments herein-before mentioned, and shall be made payable, and be paid Quarterly, during the natural Lives of such Contributors respectively, or the natural Life or Lives of such other Person or Persons as shall be nominated by such respective Contributors, and a proportionable Part of each Annuity shall be paid from the last Quarterly Day of Payment, to the Day of the Death of the Annuitant or his *Cestui que vie*, and none of the said Annuities shall be subject to any Tax or Deduction whatsoever.

Annuities charged upon the Rates.

Money borrowed not to exceed 50,000 *l.*

LIII. Provided nevertheless, That no greater Sum in the Whole than Fifty thousand Pounds shall be raised by Loan or Mortgage, and by the Sale or granting of Annuities as aforesaid; and that before any such Money shall be borrowed or Annuity granted, Fourteen Days Notice at the least shall be given in some Newspaper published in *London* or *Westminster*, signifying the Intention of borrowing such Money, or granting such Annuities.

Mode of transferring Securities.

LIV. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities or Orders for the Money borrowed, or for the Annuities granted and ordered to be paid as aforesaid, by Writing under their Hands, endorsed thereon, to transfer the same respectively to any Person or Persons according to the Form following:

"I *A. B.*

'I, *A. B.* do hereby aſſign the within Mortgage [*or*, Grant or Order 'for the Payment of the within-mentioned Annuity] and all my Right 'and Title in and to the Principal Money and Intereſt [*or*, Annuity, and 'all Arrears now due thereon, and all Benefit of Survivorſhip in reſpect 'thereof, or by virtue of the within-written Order] thereby ſecured unto 'C. D. his Executors, Adminiſtrators, and Aſſigns. Dated the 'Day of

Application of the Money.

And Entries or Memorials of all Mortgages or Aſſignments, and Grants or Orders for the Payment of Annuities, which ſhall be made in purſuance of this Act, and of all Transfers thereof, expreſſing in Words at length the Names, Additions, Places of Abode, and other proper Deſcriptions of all ſuch Perſons as ſhall from Time to Time be entitled to the Principal Money and Intereſt, or the Annuities thereby reſpectively ſecured, ſhall be entered in a Book, to be kept for that Purpoſe by the Clerk to the ſaid Commiſſioners, to which Book any Perſon intereſted ſhall at all ſeaſonable Times have Acceſs, and ſhall have free Liberty to inſpect the ſame without Fee or Reward, and for the Entry of every ſuch Transfer or Aſſignment the ſaid Clerk ſhall be paid Two Shillings and Sixpence and no more; and every ſuch Transfer or Aſſignment, after ſuch Entry thereof as aforeſaid, ſhall entitle the Perſon or Perſons to whom the ſame ſhall be made, and his, her, or their Executors, Adminiſtrators, and Aſſigns, to the Benefit of the Security or Order thereby transferred; and all Perſons to whom ſuch Mortgages or Aſſignments, or Grants of or Orders for any Annuities ſhall be made, or who ſhall be entitled to the Money or Annuities thereby ſecured, ſhall be, in Proportion to the Sums therein reſpectively mentioned, Creditors on the ſaid Rates or Aſſeſſments equally One with another, without any Preference in reſpect to the Priority of advancing ſuch Money, or the Dates of any ſuch Mortgages, Aſſignments, Grants, or Orders reſpectively.

Application of the Money.

LV. And be it further enacted, That all the Money to ariſe by or from the ſaid Rates or Aſſeſſments, and which may be borrowed or advanced upon, or received for the Purchaſe of any Annuities on the Credit or Security thereof, ſhall be applied in the Firſt Place in paying and diſcharging the Expences attending the obtaining and paſſing this Act, and afterwards, from Time to Time, in paying the Intereſt of the Principal Money to be borrowed, and the Annuities to be granted as aforeſaid, and in defraying the Expences of paving, repairing, cleanſing, lighting, watching, and watering, the ſaid ſeveral intended Streets, Squares, and other publick Paſſages and Places, and of carrying this Act into Execution, and in paying off the ſaid Principal Money, in ſuch Manner as the ſaid Commiſſioners ſhall think proper.

Creditors to be paid by Ballot.

LVI. And, in order that no undue Preference may be given to any of the Perſons entitled to the Principal Money which ſhall be borrowed and ſecured on the Credit of the ſaid Rates or Aſſeſſments, in diſcharging ſuch Principal Money in purſuance of this Act, be it further enacted, That when and ſo often as the Money to be raiſed by the ſaid Rates or Aſſeſſments ſhall amount to the Sum of One hundred Pounds, (over and above what ſhall be neceſſary to pay the growing Intereſt upon the ſaid Principal Money, and the Annuities which may be ſecured or granted in purſuance of this Act, and the Expences herein-before provided for), the ſaid Commiſſioners ſhall cauſe the Number of all the Mortgages, Aſſignments, or Securities, to be granted, or made and then

in force, for securing the Principal Monies borrowed, of which Part shall be then intended to be paid off, to be written upon distinct Pieces of Paper, of an equal Size, and all such Papers to be rolled up in the same Manner, as near as may be, and put into a Box or Glass, and One Number of the said Mortgages, Assignments, or Securities, shall be drawn out of the said Box or Glass, by the Clerk to the said Commissioners, in the Presence of Three or more of the said Commissioners: Provided always, that if it shall happen that any Mortgage, Assignment, or Security, the Number whereof shall be drawn out as aforesaid, shall be for a greater Sum than One hundred Pounds, no more than One hundred Pounds shall be discharged in consequence of such Number being so drawn.

Notice shall be given to the Persons whose Assignments are to be paid off.

LVII. And be it further enacted, That after any Ballot shall be had as aforesaid, the said Commissioners shall cause a Notice, signed by their Clerk, to be given or left at the usual Place of Abode of the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, which Notice shall express the Sum to be paid, together with the Interest due thereon, and that the same will be paid at the Place to be mentioned in such Notice, at the Expiration of Six Calendar Months from the Day of giving or leaving such Notice as aforesaid, and the Interest of the Principal Money so to be paid off shall, from and after the End of the said Six Calendar Months, cease, and be no longer paid or payable, unless such Principal Money shall be demanded pursuant to such Notice, and not paid, but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Six Calendar Months, shall nevertheless be payable on Demand.

Power to borrow Money at lower Interest to discharge Securities at a higher.

LVIII. And be it further enacted, That in case the said Commissioners can, at any Time, borrow or take up any Sum or Sums of Money, at a lower Rate of Interest than the Mortgages, Assignments, or Securities, which shall be then in force, shall bear, it shall be lawful for the said Commissioners, from Time to Time, to charge the said Rates or Assessments in Manner aforesaid, with such Sum or Sums of Money as they shall think proper, and the Interest thereof, at such lower Rate as aforesaid, and to pay off and discharge the Assignments or Securities, bearing a higher Rate of Interest, according to the Directions and Regulations herein-before prescribed for paying off the Mortgages, Assignments, or Securities.

Recovery of Penalties.

LIX. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, (the Manner of recovering whereof is not hereby otherwise directed), shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Justice of the Peace for the County or Place wherein the Offender or Offenders shall be or reside, which Warrant such Justice is hereby empowered to grant, upon the Confession of the Party, or upon the Information of any credible Witness upon Oath, and such Penalties and Forfeitures shall (if not directed to be otherwise applied by this Act) be paid to the Treasurer to the said Commissioners, and applied for such of the Purposes of this Act, as the said Commissioners shall think proper; and in case sufficient Distress shall not be found, or such Penalties or Forfeitures shall not be forthwith paid, such Justice is hereby authorized and required, by Warrant under his Hand and Seal,

to cauſe the Offender or Offenders to be committed to the Common Gaol or Houſe of Correction, there to remain, without Bail or Main-prize, for any Time not exceeding Three Calendar Months, unleſs ſuch Penalties or Forfeitures, and all reaſonable Charges attending the Recovery thereof, ſhall be ſooner paid and ſatisfied.

Inhabitants and Governors of the *Foundling Hoſpital* may give Evidence.

LX. And be it further enacted, That in all Actions, Proſecutions, Informations, Cauſes, and Proceedings whatſoever, relating to or concerning the Execution of this Act, any Inhabitant reſiding within the Limits of this Act, or any Governor or Guardian of the *Foundling Hoſpital* aforeſaid, ſhall be admitted and allowed to give Evidence, notwithſtanding ſuch Inhabitant, Governor, or Guardian, ſhall be charged with and liable to pay any Rate or Aſſeſſment by virtue of this Act: Provided always, that the ſaid Commiſſioners may ſue or be ſued in the Name of their Treaſurer or Clerk, and that no Action to be brought by or againſt the ſaid Commiſſioners, or any of them, by virtue of this Act, ſhall abate or be diſcontinued by the Death or Removal of any ſuch Treaſurer or Clerk, but the Treaſurer or Clerk for the Time being to the ſaid Commiſſioners, ſhall always be deemed the Plaintiff or Defendant in ſuch Action, as the Caſe ſhall be,

Appeal.

LXI. Provided always, and be it further enacted, That if any Perſon ſhall think himſelf or herſelf aggrieved by any Rate or Aſſeſſment which ſhall be made in purſuance of this Act, he or ſhe (having firſt paid the ſaid Rate or Aſſeſſment) may apply to the ſaid Commiſſioners at their Firſt Meeting to be holden after the Expiration of Five Days after the demanding of ſuch Rate or Aſſeſſment, and the ſaid Commiſſioners are hereby authorized and empowered, if they ſhall think ſuch Perſon aggrieved, to give ſuch Relief in the Premiſes as to them ſhall ſeem reaſonable; and if any ſuch Perſon ſhall be diſſatisfied with the Determination of the ſaid Commiſſioners therein, or if any Perſon ſhall think himſelf or herſelf aggrieved by any other Matter or Thing to be done in purſuance of this Act, every ſuch Perſon may appeal to the Juſtices at any General or Quarter Seſſion of the Peace to be holden for the County of *Middleſex*, within Four Calendar Months next after the Cauſe of Complaint ſhall have ariſen, ſuch Appellant firſt giving Fourteen Days Notice at the leaſt in Writing of his or her Intention to bring ſuch Appeal, and of the Matter thereof, to the Clerk to the ſaid Commiſſioners, and within Five Days after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for the ſaid County, with Two ſufficient Sureties, conditioned to try ſuch Appeal, and abide the Order of, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Seſſions; and the Juſtices at ſuch Seſſions ſhall hear and finally determine the Cauſe and Matter of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Party appealing, or appealed againſt, as they ſhall think proper, and their Determination thereon ſhall be final, binding, and concluſive to all Parties, and to all Intents and Purpoſes.

Rates and Proceedings not to be quaſhed for Want of Form, or removed by *Certiorari*.

LXII. And be it further enacted, That no Rate or Aſſeſſment, or any Proceeding to be had touching any Order made, or other Matter or Thing to be done or tranſacted in or relating to any Complaint or Appeal, or any Order or Determination thereon in purſuance of this Act, ſhall be quaſhed or vacated for Want of Form only, or be removed or removeable into any of His Majeſty's Courts of Record at *Weſtminſter*, by *Certiorari*,

Certiorari, or by any other Writ or Proceſs whatſoever; any Law, Statute, or Uſage, to the contrary notwithſtanding.

Plaintiff ſhall not recover after Tender of ſufficient Amends.

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

Diſtreſs not unlawful for Want of Form.

LXIV. And be it further enacted, That where any Diſtreſs ſhall be made for 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 the Warrant of Diſtreſs, or 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 afterwards 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 only in an Action on the Caſe.

Limitation of Actions.

LXV. And be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon for any Thing to be done in purſuance of this Act, until Thirty-one Days Notice thereof ſhall be given to the Clerk to the ſaid Commiſſioners, or after ſuch ſufficient Satisfaction, or Tender thereof, hath been made to the Party aggrieved, or after Three Calendar Months next after the Fact committed; and every ſuch Action or Suit ſhall be brought and tried in the County of *Middleſex*, and not elſewhere; and the Defendant in every ſuch Action or Suit 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 ſame was done in purſuance and by the Authority of this Act; and if the ſame ſhall appear to be ſo done, or if ſuch Action or Suit ſhall be brought before Thirty-one Days Notice thereof ſhall be given as aforeſaid, or after ſufficient Satisfaction made or tendered as aforeſaid, or after the Time hereinbefore limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant; and upon ſuch Verdict, or if the Plaintiff ſhall become nonſuit, or diſcontinue his or her Action or Suit, after the Defendant ſhall appear, or if upon Demurrer Judgement ſhall be given againſt the Plaintiff, then the Defendant ſhall recover Treble Coſts, and have ſuch Remedy for the ſame as any Defendant hath for Coſts of Suit in other Caſes of Law.

Publick Act.

LXVI. 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, without ſpecially pleading the ſame.

FINIS.