ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

CAP. LXXX.

An Act for paving, cleanſing, lighting, watching, and otherwiſe improving, all ſuch Streets and other Publick Paſſages, as are or ſhall be made upon a certain Piece of Ground, belonging to *Elizabeth Doughty* Spinſter, ſituate in the Pariſh of *Saint Pancras*, in the County of *Middleſex*.

[6th *June* 1797.]

WHEREAS *Elizabeth Doughty* of *Bedford Row*, in the Pariſh of *Saint Andrew, Holborn*, above the Bars, in the County of *Middleſex*, Spinſter, is Owner of a certain Piece of Ground late or heretofore called *Gravel Pit Field*, ſituate on the Weſt Side of *Gray's Inn Lane*, in the Pariſh of *Saint Pancras*, in the ſaid County of *Middleſex*, containing in the Whole about Seven Acres, and bounded as follows; (that is to ſay), Northward on Ground belonging to the Governors and Guardians of the *Foundling Hoſpital*, Eaſtward by *Gray's Inn Lane*, Southward by the Common Sewer which divides the ſaid Pariſh of *Saint Andrew, Holborn*, from the ſaid Pariſh of *Saint Pancras*, and Weſtward by other Ground belonging to the ſaid Governors and Guardians of the *Foundling Hoſpital*: And whereas *Henry Doughty* Eſquire, deceaſed, (Father of the ſaid *Elizabeth Doughty*), did ſome Time ago enter into Agreements with divers Perſons for ſetting out Streets and other Preamble.

other publick Paſſages, and for erecting Houſes and other Buildings upon Part of the ſaid Piece of Ground now belonging to her, and in conſequence thereof ſeveral Streets and Publick Paſſages have been ſet out and formed, and ſeveral Houſes and other Buildings have been erected thereon; and it is the Intention of the ſaid *Elizabeth Doughty* to let the remaining Part of the ſaid Piece of Ground for the like Purpoſes: And whereas it would be a great Benefit and Security to all Perſons who do or ſhall inhabit or occupy the ſeveral Houſes and other Buildings erected and to be erected within the Limits aforeſaid, and to all Perſons who ſhall have Occaſion to paſs along the ſaid Streets and other Publick Paſſages, if the ſame were properly paved, cleanſed, lighted, and watched, and preſerved free from Nuiſances, Annoyances, Obſtructions, and Encroachments: But the ſame cannot be effectually done without the Aid of Parliament; may it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That *John Harcourt*, *Samuel Toller*, *Richard Jupp*, *John Sparks*, *George Francillon*, *Joſeph Chittey*, *James Cobb*, *John Kirby*, *John Pugh*, *Thomas Coverdale*, *John Gorham*, *John Hurſt*, *Joſeph Wigg*, *John Golden*, *George Slaton*, *William Norris*, *George Lovell*, *George Hornby*, *James Mansfield*, *John Wilſon*, *Charles Ball*, *Thomas Barlow*, *Thomas Holland*, *Joſeph Sayer*, and *David Pitcairn*, together with every Perſon who now is, and from Time to Time hereafter ſhall be, Leſſee of any Houſe, Tenement, or Land within the Limits of this Act, rated or liable to be rated by virtue and for the Purpoſes of this Act at Thirty Pounds *per Annum* at the leaſt, and alſo every Perſon who now is, and from Time to Time ſhall be reſident within the Limits aforeſaid, and Occupier of a Houſe, Tenement, or Land rated or liable to be rated as aforeſaid, and poſſeſſed of a Real or Perſonal Eſtate, or a Real and Perſonal Eſtate together of the Value of One thouſand Pounds at the leaſt, ſhall be, and they are hereby conſtituted Commiſſioners for putting this Act in Execution.

Commiſſioners, and their Qualification.

II. Provided always, That no Perſon 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 the Oath following; (that is to ſay),

Commiſſioners Oath.

'I do ſwear, That I truly am in my own Right, [*or*, in the Right of my Wife] in the actual Poſſeſſion and Enjoyment or Receipt of the 'Rents and Profits of Buildings, Lands, Tenements, or Hereditaments of 'the clear Yearly Value of Thirty Pounds, or that I am Leſſee or Occupier of ſome Building, Houſe, Tenement, or Land rated or liable 'to be rated at or for the Value of Thirty Pounds *per Annum* at the 'leaſt, by virtue or for the Purpoſes, and within the Limits of an 'Act made in the Thirty-ſeventh 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 poſſeſſed of a Real or 'Perſonal

'Perſonal Eſtate, or a Real and Perſonal Eſtate together of the Value of 'One thouſand Pounds, over and above what is ſufficient to ſatisfy my 'juſt Debts.

'So help me GOD.'

And in caſe any Perſon not being qualified as aforeſaid ſhall nevertheleſs act as a Commiſſioner in the Execution of this Act, or be any way intereſted or concerned in any Contract to be made by virtue of this Act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of One hundred Pounds 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; and every ſuch Perſon ſo proſecuted ſhall prove he was qualified as aforeſaid at the Time of his acting, or that he was not intereſted or concerned in any ſuch Contract, or otherwiſe ſhall pay the ſaid Penalty, upon Proof being given of his having acted as a Commiſſioner in the Execution of this Act, or being intereſted or concerned in any ſuch Contract as aforeſaid.

Meetings of the Commiſſioners.

III. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby required to aſſemble and meet within the Space of One Calendar Month after the paſſing of this Act, at ſome Time and Place to be appointed, and of which Seven Days previous Notice ſhall be given by Advertiſement in the *London Gazette*, or ſome Newſpaper publiſhed in *London* or *Middleſex*, in order to put this Act into Execution; and the Commiſſioners ſo aſſembled ſhall and may then, and from Time to Time afterwards, adjourn themſelves to and meet at the Place aforeſaid, or at any other convenient Place within or near unto the Limits of this Act, and at all ſuch Meetings Three Commiſſioners ſhall be a *Quorum*, and have Power to act, unleſs in ſuch Matters as by this Act are required to be done by a greater Number.

Commiſſioners to appoint Officers.

IV. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners from Time to Time, by Writing under their Hands, to appoint a Clerk, Collector, and Treaſurer, and ſuch other Officers and Perſons as they ſhall think neceſſary to employ in the Execution of this Act, and from Time to Time remove any ſuch Officers and Perſons as they ſhall think proper, and out of the Money ariſing by virtue of this Act, to appoint and pay ſuch Salaries or other Allowances to the ſaid Officers, and to all other Perſons who ſhall be employed in or about the Execution of this Act, as they the ſaid Commiſſioners ſhall judge reaſonable and proper, and the ſaid Commiſſioners are hereby required to take ſufficient Security from the Treaſurer and Collector reſpectively, for the Monies to be by them reſpectively received by virtue of this Act; and if any Perſon ſo to be appointed Treaſurer, Clerk, Surveyor, or Collector, ſhall in anywiſe be concerned in Intereſt in any Contract to be made by the ſaid Commiſſioners, every ſuch Perſon ſhall be incapable of ever ſerving under this Act, and ſhall forfeit and pay the Sum of Fifty Pounds to any Perſon who ſhall ſue for the ſame, by Action of Debt or on the Caſe, in any of His Majeſty's Courts of Record, within Six Calendar Months after the Offence committed.

Officers not to be concerned in Contracts.

Treaſurer and Collector to account;

V. And be it further enacted, That every ſuch Treaſurer and Collector ſhall, as often as thereunto required by the ſaid Commiſſioners, make

up true and perfect Accounts of all Money by them reſpectively received and paid in purſuance of this Act, and deliver all ſuch Accounts to the Commiſſioners, with proper Vouchers for making the ſame out, and verify the ſame Accounts upon Oath (which Oath the ſaid Commiſſioners are hereby empowered to adminiſter), and every ſuch Treaſurer or Collector refuſing or neglecting to make up and render ſuch Account, and to verify the ſame as aforeſaid, or to pay over all ſuch Monies as ſhall be remaining in his Hands, ſhall and may, by Warrant under the Hands and Seals of Two of His Majeſty's Juſtices of the Peace for the County of *Middleſex*, upon Complaint to them made by any Three or more of the ſaid Commiſſioners, and Proof thereof by the Oath or Oaths of One or more credible Witneſs or Witneſſes, (which Oath the ſaid Juſtices are hereby authorized and empowered to adminiſter), be committed to the Common Gaol or Houſe of Correction of the ſaid County of *Middleſex*, there to remain, without Bail or Mainprize, until he the ſaid Treaſurer or Collector ſhall have made a fair and true Account, and until ſuch Money, as upon ſuch Account ſhall appear to be remaining in his Hands, ſhall be paid over by him or his Sureties, to ſuch Perſon or Perſons as ſhall be by ſuch Three or more Commiſſioners, making ſuch Complaint, appointed to receive the ſame, or ſhall have compounded for ſuch Money with the ſaid Commiſſioners, and have paid ſuch Compoſition (which Compoſition the ſaid Commiſſioners are hereby empowered to make and receive), but the Commitment of ſuch Treaſurer or Collector to Gaol ſhall not acquit or diſcharge any Surety that ſhall have been taken for the due and faithful Execution of his Office, or Payment of Monies received by virtue of this Act, or abate or diſcontinue any Action, Suit, or Proceſs, commenced for Recovery of any Monies ſo received; and no Collector ſhall at any Time, under any Pretence whatſoever, retain in his Hands any greater Sum than Fifty Pounds for a longer Space than Ten Days without paying it to the Treaſurer or Banker, or other Perſon to be appointed by the Commiſſioners to receive the ſame.

in Default to be committed.

Meetings of the Commiſſioners.

VI. And be it further enacted, That all Meetings of the ſaid Commiſſioners, after the Firſt Appointment of a Clerk, ſhall be ſummoned by Notice in Writing, ſigned by ſuch Clerk, and delivered by the Meſſenger at the uſual Place of Abode of ſuch Commiſſioners reſiding within the Limits of this Act, or within One Mile thereof, ſpecifying the Time and Place of ſuch Meeting, and the Buſineſs to be tranſacted; and all the Acts, Orders, and Proceedings, of the ſaid Commiſſioners, with the Names of the Commiſſioners preſent, ſhall be from Time to Time entered in Books to be kept for that Purpoſe by the Clerk, and ſhall be ſigned by the Chairman at the next Meeting, and all ſuch Orders ſo ſigned, ſhall be deemed and taken to be original Orders, and ſhall and may be produced and read in Evidence in all Courts whatſoever, in Cauſes, Suits, and Actions, touching any Thing done in purſuance of this Act, and that all ſuch Books ſhall at all ſeaſonable Times be open to the Inſpection of all Perſons rated for the Purpoſes of this Act; and at all Meetings of the Commiſſioners to be held by virtue of this Act, the ſaid Commiſſioners ſhall defray their own Expences; and all the Powers and Authorities hereby granted to or veſted in the ſaid Commiſſioners, ſhall and may from Time to Time be exerciſed by the major Part of the Commiſſioners preſent, and in all Caſes where the Number of Votes ſhall be equal (including the Chairman's Vote) the Chairman ſhall have the caſting

caſting Vote, but no Act of the ſaid Commiſſioners ſhall be valid, unleſs done at ſome Meeting of a ſufficient Number of Commiſſioners as herein limited, to be held in purſuance of this Act; and if at any Time it ſhall happen, that there ſhall not appear at any Meeting which ſhall be appointed to be held, a ſufficient Number of Commiſſioners as provided for by this Act, in every ſuch Caſe the Clerk ſhall, and he is hereby required to ſummon all the Commiſſioners reſident as aforeſaid, to meet at the Place where the laſt Meeting was appointed to be held, within Fourteen Days next after the Day on which ſuch laſt Meeting was appointed to be held.

Property of Materials veſted in the Commiſſioners.

VII. And be it further enacted, That, from and after the paſſing of this Act, the Property of and in all the Pavements of the Carriage Ways and Foot Ways, within the ſeveral Streets and other publick Paſſages already or hereafter to be ſet out or formed upon the ſaid Ground, and of and in all Lamp Irons, Poſts, and Watch Boxes, which now are and which ſhall be erected, affixed, or put up, and all Materials, Implements, and other Things which ſhall be purchaſed or gotten by virtue or for any of the Purpoſes of this Act, ſhall be, and they are hereby veſted in the ſaid Commiſſioners, and they are hereby empowered from Time to Time to cauſe Actions to be brought in the Name of their Clerk, or to cauſe to be preferred any Indictment againſt any Perſon or Perſons who ſhall ſteal, take, or carry away, injure, or deſtroy the ſame, or any Part or Parts thereof.

Commiſſioners to cauſe the Streets to be paved, repaired, &c.

VIII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and required from Time to Time, to cauſe the ſeveral Streets and other publick Paſſages already or hereafter to be ſet out or made within the Limits of this Act, both in the Carriage and Foot Ways, to be properly formed and paved, and from Time to Time repaired, in ſuch Manner, and with ſuch Sorts and Kinds of Materials as they ſhall judge neceſſary and proper, and alſo to cauſe the ſaid Streets and other publick Paſſages to be cleanſed, lighted, and watched, in ſuch Manner as the ſaid Commiſſioners ſhall think fit; and all Encroachments, 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 and other publick Paſſages, 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 Foot Ways within any of the ſaid Streets or other publick Paſſages, upon Pain of forfeiting any Sum not exceeding Twenty Shillings for every Offence.

Lamps to be ſet up, Streets, &c. to be named, and Houſes numbered.

IX. 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 Paliſades of any of the Houſes, Tenements, or Buildings, or in ſuch other Manner, within the ſaid Streets and other publick Paſſages, 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 and other publick Paſſages, and the

the ſaid Lamps, and alſo the ſeveral Houſes within the ſaid reſpective Streets and other publick Paſſages to be numbered; and if any Perſon ſhall wilfully break, throw down, take away, ſpoil, or damage any ſuch Lamps, or any of the Irons, Poſts, or other Furniture thereof, or wilfully extinguiſh the Light of any ſuch Lamp, or deface or obliterate the Number of any ſuch Houſe as aforeſaid, or ſhall wilfully throw down, damage, or injure, any Watch Box to be erected by virtue of this Act, it ſhall be lawful for any Perſon or Perſons whomſoever to apprehend the Offender, and by the Authority of this Act, and without any other Warrant, to convey him or her before ſome Juſtice of the Peace for the ſaid County of *Middleſex*, and ſuch Juſtice ſhall examine upon Oath any Witneſs or Witneſſes who ſhall appear or be produced to give Evidence touching ſuch Offence, and if the Party accuſed ſhall be convicted of any ſuch Offence, either by his or her Confeſſion, or upon ſuch Evidence as aforeſaid, he or ſhe ſhall forfeit and pay to the Treaſurer appointed by the ſaid Commiſſioners for the Time being, any Sum not exceeding Twenty Shillings, whereof One Moiety ſhall go to the Informer, and ſuch Offender ſhall alſo pay to the ſaid Commiſſioners, or to their Treaſurer for the Time being, 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 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, not exceeding Twenty Shillings; 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 contract for Performances of Works; and

X. And be it further enacted, That the ſaid Commiſſioners may from Time to Time (if they think proper) adverti ſe for and receive Propoſals in Writing (ſealed up) and at any Meeting to be held for that Purpoſe (not leſs than Five Commiſſioners being preſent) make and enter into any Contract in Writing with any Perſon or Perſons for the doing and performing all or any of the Works by this Act authoriſed or directed to be done and performed, every ſuch Contract to ſpecify the Works to be done, the Prices to be paid for the ſame, and the Times within which the ſaid Works are to be completed, with the Forfeitures or Penalties to be borne or ſuffered for Non-performance thereof; and in caſe any of the Works to be done and performed by any ſuch Contractor ſhall not be well and ſufficiently done and performed according to ſuch Contract, the ſaid Commiſſioners may cauſe an Action to be brought in any of His Majeſty's Courts of Law at *Weſtminſter*, in the Name of their Clerk, 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, the ſaid Commiſſioners ſhall be entitled to, and ſhall recover the Penalty contained in ſuch Contract: Provided nevertheleſs, that it ſhall be lawful for the ſaid Commiſſioners (if they think fit) to

may compound for Breach.

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 of all Coſts, Charges, and Expences, which ſhall be occaſioned thereby.

Notice for Contracts.

XI. Provided always, That previous to making any ſuch Contract as aforeſaid, Fourteen Days Notice at the leaſt ſhall be given by Advertiſement, to be publiſhed Three Times in ſome Newſpaper publiſhed in *London*, *Weſtminſter*, or the County of *Middleſex*, expreſſing the Time and Place of the ſaid Commiſſioners Meeting for making ſuch Contract, and alſo the Nature of the Contract, in order that any Perſon or Perſons willing to undertake the ſame may have an Opportunity of making their Propoſals to the ſaid Commiſſioners, and all Payments to Contractors and others for Buſineſs to be done under this Act, ſhall be made by Draughts on the Treaſurer, ſigned by Three of the ſaid Commiſſioners at the leaſt.

Commiſſioners not to be perſonally liable for Contracts, &c.

XII. Provided always, and be it further enacted, That no Contract which ſhall be made for any of the Purpoſes of this Act, ſhall be binding upon the Commiſſioners as Individuals, or in their private Capacity, nor ſhall any of the Commiſſioners perſonally, or their reſpective Eſtates, be anſwerable for or ſubject to the Payment of any of the Monies to be borrowed, or the Intereſt thereof, or any or either of the Annuities to be granted by virtue of this Act; and that all Money which ſhall be expended by or recovered againſt any of the ſaid Commiſſioners, or any Perſon or Perſons employed by them, by Means of any Action, Proſecution, or Appeal, to be brought by or againſt them, or any of them, touching the Execution of this Act, ſhall be borne and defrayed out of the Money which ſhall come into the Hands of the ſaid Commiſſioners, or any other Perſon, by virtue of this Act.

Encroachments to be removed.

XIII. And be it further enacted, That the reſpective Occupiers of Houſes and other Buildings within the ſeveral Streets and other publick Paſſages aforeſaid, ſhall, at their own Coſts and Charges, within ſuch Time, and in ſuch Manner, as the ſaid Commiſſioners ſhall from Time to Time (by Notice in Writing to be delivered to ſuch reſpective Occupiers, or left at their reſpective Dwelling Houſes) direct, cauſe all Signs belonging to, and which ſhall not be fixed or placed flat upon ſuch reſpective Houſes or other Buildings, to be taken down, and fixed or placed flat on the Fronts thereof; and all Sign Irons, Sign Poſts, and other Poſts, Penthouſes, Spouts, Steps, Shop Windows, and Cellar Windows, Shewglaſſes, or Shewboards, projecting into or over the Foot Ways, and other Encroachments, Obſtructions, Projections, and Annoyances, which now or hereafter ſhall belong to ſuch reſpective Houſes or other Buildings, and which are or ſhall be incommodious to Paſſengers, either in the Foot or Carriage Ways, to be removed, altered, or reformed; and alſo to cauſe the Water to be conveyed from the Roofs, Cornices, and Penthouſes, of or belonging 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 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 Encroachments, 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.

Penalty on occaſioning Nuiſances.

XIV. And be it further enacted, That if any Perſon ſhall run or drive any Wheel, Sledge, Wheelbarrow, or any Carriage whatſoever, upon any of the ſaid Foot Pavements, 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 or other publick Paſſage 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 ſift, ſcreen, or ſlack any Lime, or bind or make the Wheel of any Carriage, or ſhoe, bleed, dreſs, or farry, or turn or drive looſe any Horſe, or if any Perſon ſhall ſet, place, or expoſe to Sale, any Goods, Wares, or Merchandize, either on the Foot Ways or Carriage Ways of any of the ſaid Streets or other publick Paſſages, ſo as to obſtruct or incommode the Paſſage of any ſuch Foot Way or Carriage Way, every Perſon offending in any of the Caſes aforeſaid, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Ten Shillings.

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

XV. And be it further enacted, That if any Waggon, Cart, or other ſuch like Carriage, ſhall be left in any of the Streets or other publick Paſſages within the Limits of this Act, with or without Horſes or other Cattle, for any longer Time than ſhall be neceſſary for the loading or unloading thereof, or if any Coach, Chaiſe, or other ſuch like Carriage, ſhall be left or remain in any of the ſaid Streets, or other publick Paſſages, for any longer Time than ſhall be neceſſary for taking up or ſetting down the Paſſengers, and for loading or unloading their Baggage, 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 or other publick Paſſages, for any longer Time than ſhall be neceſſary for removing or houſing the ſame, (except as herein-after expreſſed), or if any Aſhes, Rubbiſh, Duſt, Dirt, or other Nuiſance or Annoyance, ſhall be thrown, caſt, or laid in any of the ſaid Streets or other publick Paſſages, and ſuffered to remain for any longer Time than is neceſſary for removing the ſame, then and in all and every ſuch Caſe or Caſes 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,

Dung, Aſhes, Rubbiſh, Duſt, Dirt, or other Nuiſance or Annoyance as aforeſaid, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding 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 or other publick Paſſages, longer than ſhall be neceſſary as aforeſaid, the Surveyor to 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.

Hoards, &c. may be erected.

XVI. Provided always, and be it further enacted, That it ſhall be lawful for any Perſon to erect or ſet up any Hoard, Incloſure, or Scaffold, for the Purpoſe of making Mortar, or depoſiting Bricks or Stone, or working any Lime, Sand, or other Materials uſed in building or repairing any Houſes, Buildings, or other Works, without being ſubject to any Penalty on Account thereof, provided ſuch Perſon ſhall previouſly have obtained 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): Provided nevertheleſs, that if any Perſon ſhall erect any ſuch Hoard, Incloſure, or Scaffold of greater Dimenſions, or ſhall ſuffer any Hoard, Incloſure, or Scaffold to remain for any longer Time than ſhall be allowed in and by ſuch Licence, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds for every Day ſuch Hoard, Incloſure, or Scaffold, or any Part thereof, ſhall be continued, after Notice given by the Surveyor to take down and remove the ſame.

Scavengers Duty.

XVII. And be it further enacted, That all Perſons contracting with the ſaid Commiſſioners for cleanſing the ſaid Streets and other publick Paſſages as aforeſaid, ſhall, once in every Fortnight, or oftener if the Commiſſioners ſhall ſo direct, attend in all and every the Streets and other publick Paſſages 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 and other publick Paſſages, 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, and One Moiety of ſuch Penalty ſhall be paid to the Inhabitant complaining.

XVIII. And

For preventing Aſhes being taken by any Perſon but the Contractor for cleanſing.

XVIII. And be it further enacted, That if any Perſon other than the Perſon contracting with the ſaid Commiſſioners, or thoſe employed under ſuch Contractor, ſhall, on any Pretence whatſoever, go about or collect or gather, aſk for, receive, or carry away, any Duſt, Dirt, Cinders, or Aſhes, from any Houſe or other Premiſes in any Street or Place within the Limits of this Act, it ſhall and may be lawful for any Perſon or Perſons who ſhall ſee ſuch Offence committed, to ſeize, and alſo for any other Perſon or Perſons to aſſiſt in ſeizing, the Offender, and by the Authority of this Act, and without any other Warrant, to convey him or her before ſome Juſtice of the Peace for the ſaid County of *Middleſex*, and ſuch Juſtice ſhall examine upon Oath the Perſon or Perſons apprehending the Offender, or any Witneſs or Witneſſes who ſhall appear to give Information touching ſuch Offence; and if the Party ſhall be convicted, he ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Ten Shillings nor leſs than Five Shillings, and One Moiety of every ſuch Penalty ſhall be paid to the Perſon or Perſons who ſhall apprehend the Offender, and the other Moiety to the ſaid Commiſſioners, or their Treaſurer; and if ſuch Offender ſhall not immediately on Conviction pay the ſaid Penalty, ſuch Juſtice is hereby required to commit him to the Common Gaol or Houſe of Correction, there to be kept to Hard Labour for any Time not exceeding Twenty Days nor leſs than Seven Days, unleſs ſuch Penalty be ſooner paid: Provided nevertheleſs, that nothing in this Act contained ſhall extend to prevent the Owners of ſuch Duſt, Dirt, Cinders, and Aſhes, to carry away the ſame for their own Uſe.

Regulations for mending Water Pipes.

XIX. 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, Paſſages, or Places, the Surveyor of the ſaid Commiſſioners, or any other Perſon or Perſons to be by them appointed for that Purpoſe, ſhall forthwith give Notice to the Surveyor or Foreman of the Water Company to whom the ſame ſhall belong, requiring him to cauſe the Pavement to be taken up, and the Ground opened at or near the Place where the Water ſhall or may iſſue by reaſon of the burſting or breaking of any ſuch Pipe, and to repair or cauſe to be repaired ſuch Water Pipe, and to fill in the Ground over the ſame within Three Days after the Delivery of ſuch Notice, and immediately after the Repair of the defective Pipe, and the Ground ſhall have been filled in, to give Notice to the Surveyor to the ſaid Commiſſioners, that the Pavement may be reſet by the Paviour employed by the ſaid Commiſſioners, and the Expence thereof ſhall be paid by the Company to whom ſuch defective Pipe ſhall belong; and in caſe the ſaid Surveyor or Foreman ſhall neglect or refuſe to cauſe the ſaid Pavement to be ſo taken up, and the defective Pipe amended, and the Ground filled in, in ſuch Manner as the Surveyor to the ſaid Commiſſioners ſhall direct, within the ſaid Space of Three Days next after the Delivery of ſuch Notice, then and in every ſuch Caſe the Perſon guilty of ſuch Neglect ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding 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, 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 relay the Pavement ſo broken or taken up, on Pain of forfeiting, for every ſuch Neglect or Refuſal, any Sum not exceeding Forty Shillings.

Pavement taken up for repairing Water Pipes to be relaid.

XX. And be it further enacted, That whenever the Pavement of any of the ſaid Streets, 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 relaid 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.

XXI. And be it further enacted, That the ſeveral and reſpective Paviours and Turncocks 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, 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 and pay any Sum not exceeding Forty Shillings for every ſuch Offence.

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

XXII. Provided nevertheleſs, That if at any Time it ſhall be found neceſſary to raiſe, ſink, or 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 Streets, 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;

XXIII. Provided always, That when and ſo often as any Part of the Pavements of the ſaid Streets, 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.

XXIV. 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 Five 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.

For appointing Watchmen, and their Duty.

XXV. And, in order to protect the Perſons and Property of the Inhabitants, and of ſuch other Perſons as may have Occaſion to paſs along the Streets and other Paſſages and Places within the Limits aforeſaid in the Night Time; be it further enacted, That the ſaid Commiſſioners may, and are hereby authorized and empowered, from Time to Time, to appoint ſuch Number of Watchmen 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 proper Boxes or Places for their Reception, and to ſet up ſuch Boxes in ſuch Places and Situations as they ſhall think fit, and alſo to provide proper Arms and Weapons for the Diſcharge of the Duty of ſuch Watchmen; and 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; 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, during the Time they are 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

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 Watchman 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, for every ſuch Offence, any Sum not exceeding Ten Shillings.

Publicans not to entertain Watchmen.

XXVI. And be it further enacted, That if any Victualler or Keeper of any Publick Houſe within the Limits of this Act, ſhall knowingly harbour or entertain any Watchman employed as aforeſaid, 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 as aforeſaid, every Victualler or Keeper of ſuch Publick Houſe ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

Money to be raiſed by a Rate.

XXVII. And, for raiſing Money to enable the ſaid Commiſſioners to carry the ſeveral Purpoſes of this Act into Execution; be it further enacted, That the ſaid Commiſſioners, or any Five of them, ſhall, and they are hereby authorized and required annually or oftener, as Occaſion may require, to make One or more equal Pound Rate or Rates, Aſſeſſment or Aſſeſſments, upon all and every Perſon and Perſons who do or ſhall inhabit, hold, uſe, occupy, poſſeſs, or enjoy, any Land, Ground, Houſe, Shop, Warehouſe, Coach Houſe, Stable, Cellar, Vault, Building, or Tenement whatſoever, in any or either of the ſaid Streets and other publick Paſſages and Places within the Limits of this Act, to defray the Expences of paving, repairing, cleanſing, lighting, and watching, the ſaid ſeveral Streets and other publick Paſſages and Places, and all other the neceſſary Purpoſes of this Act, and all ſuch Rates or Aſſeſſments ſhall, from Time to Time, be made upon and according to the improved Annual Value of ſuch Land, Ground, Houſes, Shops, Warehouſes, Coach Houſes, Stables, Cellars, Vaults, Buildings, or Tenements, but ſo nevertheleſs as that ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, do not exceed in the Whole, in any One Year, the Sum of Three Shillings in the Pound upon ſuch improved Annual Value; and alſo One or more other equal Rate or Rates, Aſſeſſment or Aſſeſſments, for the Purpoſes aforeſaid, not exceeding Sixpence for every ſquare Yard of Pavement paved or repaired, cleanſed, lighted, and watched, by virtue of this Act, belonging to all Chapels, Meeting Houſes, Schools, Halls, Markets, Warehouſes, Walls, void Spaces of Ground, and all other publick Buildings whatſoever within the Limits of this Act, and which ſhall not be rated by virtue of this Act by the Pound Rate, or otherwiſe, and ſuch laſt mentioned Rates ſhall be aſcertained according to the Number of ſquare Yards of Pavement lying before ſuch Chapels, Meeting Houſes, Schools, Halls, Markets, Warehouſes, Walls, or Buildings, and extending to the Middle of the Street, Paſſage, or Place, on which the ſame ſhall abut, and ſhall be paid by the Chapel Wardens, or Owners or Proprietors thereof reſpectively; and the ſaid Commiſſioners ſhall cauſe Accounts to be kept of the Produce of the ſaid Rates or Aſſeſſments, and of the Application thereof; and the Firſt of the ſaid Rates or Aſſeſſments as aforeſaid ſo to be made ſhall commence, for or in reſpect of ſuch Houſes or other Buildings as now are, or ſhall be then

Accounts to be kept.

Commencement of Rates.

erected,

erected, built, and finiſhed, within the Limits of this Act, from the Twenty-ninth Day of *September* One thouſand ſeven hundred and ninety-ſeven, and for or in reſpect of all ſuch Houſes or Buildings then in building, or thereafter to be erected or built, within the Limits of this Act, ſhall commence from the Second Quarter Day after the ſame ſhall have been reſpectively covered in, and the Pavements laid before the Front, as far as the Middle of the Street 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 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 to receive the ſame.

Half Rates to be paid for Houſes fronting *Gray's Inn Lane*, but not for Coach Houſes, *etc.* in the Mews.

XXVIII. And be it further enacted, That no more than One Half of the full Rates or Aſſeſſments to be made by virtue of this Act, ſhall be paid by the Owners or Occupiers of any 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 upon *Gray's Inn Lane:* Provided always, that all Coach Houſes, Stables, and other Erections, opening into or adjoining upon the Mews intended to be built at the Back of, or adjoining to ſuch Houſes and Buildings fronting upon *Gray's Inn Lane*, whether held therewith or ſeparately, ſhall be aſſeſſed to the full Rates or Aſſeſſments to be made by virtue of this Act.

Empty Houſes to be charged with Half Rates.

XXIX. 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 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.

XXX. 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.

Poors Rates may be inſpected.

XXXI. 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 Pariſh of *Saint Pancras*, 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 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.

Rates how to be recovered.

XXXII. 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, it ſhall and may be lawful for the Collector of the ſaid Rates or Aſſeſſments, by Warrant under the Hands and Seals of any Two Juſtices of the Peace for the County of *Middleſex*, to levy ſuch Rate or Aſſeſſment, and all Arrears due thereon, by Diſtreſs and Sale of the Goods and Chattels of the Perſon ſo refuſing or neglecting to pay as aforeſaid; and if within Five Days next after ſuch Diſtreſs ſhall be ſo made, the ſaid Rate or Aſſeſſment, and all Arrears due thereon, ſhall not be paid, together with the reaſonable Charges of taking and keeping the ſame, the ſaid Collector ſhall cauſe the ſaid Goods and Chattels to be ſold, or ſuch Part thereof as ſhall be ſufficient to pay the ſaid Rate or Aſſeſſment, and all Arrears, with the Charges of making ſuch Diſtreſs and Sale, returning the Overplus (if any) to the Owner of ſuch Goods and Chattels on Demand.

Commiſſioners to make Allowances to ſuch Perſons as may have paved at their own Expence.

XXXIII. And whereas ſeveral Perſons already have paved, or may hereafter pave, at their own Expence, ſome Part or Parts of the Ground before the Houſes or Buildings now erected or erecting within the Limits of this Act, or have formed and gravelled, or may hereafter form and gravel 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

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 borrow Money.

XXXIV. 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*),

'BY virtue of an Act of Parliament, made in the Thirty-ſeventh 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 paid 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 Mortgage or Aſſignment ſhall be good, valid, and effectual in the Law.

Money may be raiſed by Annuities.

XXXV. Provided always, That in caſe the ſaid Commiſſioners ſhall think it adviſeable 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 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

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; and the Grant of every ſuch Annuity ſhall be in the Words or to the Effect following; (*videlicet*),

'WE of the Commiſſioners appointed by or in purſu-
'ance of an Act of Parliament, made in the Thirty-ſeventh Year
'of the Reign of King *George* the Third, intituled, [*ſet forth the Title*
'*of the Act*], in Conſideration of the Sum of paid by
'*A. B.* to *C. D.* the Treaſurer appointed in purſuance of the ſaid Act,
'do hereby grant unto the ſaid *A. B.* his Executors, Adminiſtrators,
'and Aſſigns, an Annuity or Yearly Sum of out of the
'Rates ariſing by virtue of the ſaid Act, which Annuity or Yearly Sum
'of ſhall be paid to the ſaid *A. B.* his Executors, Ad-
'miniſtrators, and Aſſigns, at upon the
'in every Year, during and the Firſt Payment thereof
'to be made upon the Day of next enſuing
'the Date of theſe Preſents. In Witneſs whereof we have hereunto ſet
'our Hands and Seals, the Day of in the Year
'of our Lord

And every ſuch Grant ſhall be good, valid, and effectual in the Law, and every Annuity ſo to be granted as aforeſaid, ſhall be and is hereby charged upon, and ſhall be paid out of the Rates or Aſſeſſments hereinbefore mentioned, and ſhall be made payable and be paid Half-yearly, 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 made from the laſt Half-yearly 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.

Mode of transferring Securities.

XXXVI. 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 indorſed thereon, to transfer the ſame reſpectively to any Perſon or Perſons, according to the Form following:

'I *A. B.* do hereby aſſign the within Mortgage [*or* Grant or Order
'for the Payment of the within Annuity] and all my Right and Title
'in and to the Principal Money and Intereſt [*or* Annuity, and all Ar-
'rears 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

And Entries or Memorials of 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 Money.

XXXVII. And be it further enacted, That all 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, or 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 defraying the Expences of paving, repairing, cleanſing, lighting, and watching the ſaid ſeveral Streets and other publick Paſſages and Places, and all other Expences attending the Execution of this Act, and in paying of the ſaid Principal Money, in ſuch Manner as the ſaid Commiſſioners ſhall think proper.

Creditors to be paid by Ballot.

XXXVIII. 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 Two hundred Pounds, or upwards, (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 hereinbefore 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, for every One hundred Pounds intended to be paid off, 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.

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

XXXIX. 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 Three Calendar Months from the Day of giving or leaving ſuch Notice as aforeſaid; and the Intereſt of the Principal Money to be paid off, ſhall, from and after the End of the ſaid Three 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 Three Calendar Months, ſhall nevertheleſs be payable on Demand.

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

XL. 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.

XLI. 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 Mainprize, 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 within the Limits may give Evidence.

XLII. 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 ſhall be admitted and allowed to give Evidence, notwithſtanding ſuch Inhabitant 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 diſ-

continued 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 may be.

Appeal.

XLIII. 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 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 Seſſions of the Peace to be holden for the County of *Middleſex*, within Three Calendar Months next after ſuch Determination of the ſaid Commiſſioners, 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 Seſſion 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*.

XLIV. 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*, 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 Amend.

XLV. 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.

XLVI. And

XLVI. 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. Diſtreſs not unlawful for Want of Form.

XLVII. 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 herein-before 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. Limitation of Actions. Treble Coſts.

XLVIII. 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. Publick Act.

FINIS.