Anno ſexto

Georgii III. Regis.

CAP. XXIV.

An Act for paving the Streets and Lanes within the Town and Borough of *Southwark*, and certain Parts adjacent, in the County of *Surrey*; and for cleanſing, lighting, and watching, the ſame; and alſo the Courts, Yards, Alleys, and Paſſages, adjoining thereto; and for preventing Annoyances therein.



WHEREAS the ſeveral Streets and Lanes within the Pariſhes of Saint George, Saint Saviour, Saint Olave, Saint John, and Saint Thomas, and the Parts of the Pariſhes of Saint Mary Newington, and Saint Mary Magdalen Bermondſey, which are called Blackman Street, Kent Street, Bermondſey Street, and a Street called Snow's Fields, all in and near the Town and Borough of Southwark, in the County of Surrey, are in general very ill paved and cleanſed, and are not duly lighted Preamble.

lighted and watched: And whereas the preſent Methods preſcribed by Law, for paving, cleanſing, and lighting, the ſaid Streets, Lanes, and Places, are inſufficient for thoſe Purpoſes: And whereas if Power was given to new pave and regulate the ſaid Streets and Lanes, and to maintain and preſerve the Pavement thereof for the future, and to cleanſe, light, and watch, the ſame; and alſo the ſeveral Courts, Yards, Alleys, Paſſages, and Places, communicating with or adjoining to the ſame, and to remove all Nuiſances and Obſtructions therein, and to prevent the ſame for the future; it would tend greatly to the Safety, Preſervation, and Advantage, of the Inhabitants of the ſaid Streets, and other Places, and be of publick Utility: 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 the ſaid ſeveral Streets, Lanes, Courts, Yards, and other Places, included in this Act, ſhall, for the Purpoſes of this Act, be, and the ſame are hereby divided into Two ſeparate and diſtinct Diſtricts or Diviſions, in manner following; videlicet, The Pariſhes of Saint George, Saint Saviour, Saint Mary Newington, and ſo much of the High Street of the ſaid Borough as is in the Pariſh of Saint Olave aforeſaid, ſhall make One Diviſion, and ſhall be called the Weſt Diviſion; and the other Parts of the ſaid Pariſh of Saint Olave, the Pariſhes of Saint John, and Saint Thomas, and the Parts of the ſaid Pariſh of Saint Mary Magdalen Bermondſey before mentioned, ſhall be the other Diviſion, and be called the Eaſt Diviſion.

Two Diſtricts appointed.

And be it further enacted by the Authority aforeſaid, That George Onſlow of Ember Court, in the County of Surrey, Eſquire; and Sir Francis Vincent Baronet, and the Knights of the Shire for the County of Surrey for the time being; Sir Joſeph Mawbey Baronet, and Henry Thrale Eſquire, and the Burgeſſes to ſerve in Parliament for the Borough of Southwark for the time being; William Bowden Eſquire, Treaſurer of Saint Thomas's Hoſpital, in the Borough of Southwark, and the Treaſurer of the ſaid Hoſpital for the time being; Thomas Lucas Eſquire, Treaſurer of Guy's Hoſpital, within the ſaid Borough, and the Treaſurer of the ſaid Hoſpital for the time being; the Bailiff of the Borough of Southwark, Richard Roman Eſquire, and his Succeſſor

Commiſſioners.

ceſſor and Succeſſors in the Bridge Yard, and the Comptroller of the Bridge Yard for the time being; together with Maſter Roger Pindar, Maſter Thomas Wilkinſon, Maſter James Bulcock, Maſter Joſeph Shaw, William Syms Eſquire, John Levy Eſquire, Maſter Thomas Calverley, George Evans Eſquire, Dyer Bond Eſquire, William Coſſin Eſquire, Maſter William Bargeſs, Maſter William Cruttenden, Maſter John Abbiſs, Maſter Edmund Lardner, Simon Barratty Eſquire, Maſter John Hemming, Maſter John Johnſon, Maſter John Peyton, Maſter Joſhua Greenſmith, Maſter John Good, Maſter Benjamin Driffield, William Golding Eſquire, Maſter Stephen Lowdell, Maſter Joſeph Burt, Edward Ruſſell Eſquire, Maſter Ralph Royle, John Crouch Eſquire, Maſter William Jefferies, Maſter William Winter, the Reverend Leonard Howard D. D. John Wood Eſquire, Maſter Edward Cooke, Thomas Dawſon Eſquire, Maſter John Ramſbottom, Maſter Thomas Watſon, Maſter Samuel Spencer, Maſter Iſaac Stapleton, Maſter John Crooke, Moſes Waite Eſquire, Maſter John Fry, Maſter William Tovey, Maſter William Hill, Maſter John Buck, Maſter Robert Stevens, Maſter Samuel Carter, Maſter Edward Henſhaw, Maſter Thomas Andrews, Maſter William Hayes, Maſter Meddows Neatby, Maſter John Fowler, Nathaniel Pollhill Eſquire, Maſter Henry Keen, Maſter Thomas Maidman, Maſter John Warrington, Maſter Cornelius Van Mildert, Maſter Humphry Randall, Sir William Richardſon Knight, the Reverend Simon Hughes Clerk, Edmund Dawſon, Peter Champion, Richard Davis, James Searancke, Philip Cox, Eſquires; Charles Spence, Henry Butler, Charles Farrington, Martin Hurdis, Joſeph Houghland, John Woodard, Richard Hilditch, Thomas Walton, Jacob Foſter, William Strickland, William Dowſon, George Flower, David Griffin, George Keepe, Thomas Rudd, John Nangrave, William Atkinſon, William Breach, Robert Gregg, Thomas Chappel, Gentlemen; the Reverend Richard Penneck Clerk, Edward Steavens, Samuel Bennett Smith, Edward Brent, William Mountain, Nathaniel Brent, John Ruſe, Robert Watſon, William Speck, George Turvile, Eſquires; Thomas Smith, William Shearwood, Thomas Holt, Henry Sumner, John Faſſet, Richard Stevens, Samuel Woolley, Hugh Meares, Joſeph Shewen, George Shepley, William Smith, Vincent Trehearn, Stephen Leeſon, Thomas Dawſon, Gentlemen; John Mackrill, Richard Capell, Thomas Smalley Browning, Eſquires; John Ruſſell, Matthew Bayley, Gentlemen; William

Adams, Jeremiah Crutchley, Edmund Smith, Esquires; Ambrose Lyon, Samuel Hollingsworth, Nathaniel Randall, Francis Banks, Edward Layton, the Reverend William Slater Clerk, Daniel Alexander, Stephen Hodson, being Inhabitants of the said Parishes and Places, shall be, and they and their Successors, to be elected in manner herein after-mentioned, are hereby appointed Commissioners for putting this Act in Execution; and in case of the Death of any of the above named Commissioners, or of their Removal out of their respective Divisions, or Refusal to act, it shall be lawful for the surviving or remaining Commissioners of such respective Division, or any Five or more of them, from time to time, by Writing under their Hands and Seals, to elect one other Person, being an Inhabitant within the respective Parish where such Vacancy shall happen, to be a Commissioner in the Room and Stead of such Commissioner so deceased, removed, or refusing to act; but Ten Days Notice of the Time and Place of Meeting for every such Election, shall be given in some News Paper published within the Weekly Bills of Mortality; and every Person so elected, is hereby vested with the same Powers for putting this Act in Execution, as the Person in whose Place he shall be chosen, was vested with.

New Commissioners to be chosen.

Certain Commissioners may act in both Districts.

Provided always, That the Knights of the Shire for the County of Surrey, and the Burgesses to serve in Parliament for the Borough of Southwark, the Treasurer of Saint Thomas's Hospital, the Treasurer of Guy's Hospital, the Bailiff of the Borough, Richard Roman Esquire, his Successor and Successors in the Bridge Yard, and the Comptroller of the Bridge Yard for the time being, shall be Commissioners for, and may act upon all Occasions in the Execution of, this Act in both Divisions.

Qualification.

Provided always, and be it further enacted by the Authority aforesaid, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall be in his own Right, or in Right of his Wife, in the actual Possession, or Receipt of Lands, Tenements, or Hereditaments, of the clear yearly Value of Fifty Pounds, or possessed of, or intitled to, a Personal Estate to the Value of One thousand Pounds; and if any Person not being so qualified, shall presume to act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds, to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, Suit, or Information,

Penalty on acting if not qualified.

tion, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, upon Proof given of his having acted as a Commissioner in the Execution of this Act.

Commissioners to divide themselves at their First Meeting;

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall meet together at the Town Hall on Saint Margaret's Hill, on the Second Monday after the passing of this Act, between the Hours of Ten in the Forenoon and Two in the Afternoon, and shall meet afterwards at the same Place within the same Hours, as often as it shall be necessary for putting so much of this Act in Execution, as is hereby committed to their Care and Charge at such General Meeting; and the said Commissioners, or the major Part of them present at such General Meeting, such major Part not being less than Fifteen, shall then and there, and from time to time, ascertain and set down in Writing the Monies they shall adjudge necessary to be borrowed for new paving the said Streets and Lanes, or any of them; and that no Order or Direction for borrowing Money for such Purpose, shall be made or given otherwise than at such General Meeting; and the said Commissioners present at such First Meeting, shall divide themselves and the other Commissioners not present, and act for all other the Purposes of this Act, within the Division where they shall respectively reside, and not otherwise or elsewhere, except as is herein particularly authorized and directed; and the said Commissioners, within their respective Divisions, shall meet together at such Place within each respective Division, and at such Time as shall at such General Meeting be appointed, and shall proceed to the Execution of this Act within their respective Divisions; and shall then and from time to time afterwards, adjourn themselves, and meet at such House or Houses within the said Borough of Southwark, as they shall think proper or convenient for putting this Act in Execution within their respective Divisions; and if at any Meeting appointed to be held by virtue of this Act, there shall not appear a sufficient Number of Commissioners to act, and to adjourn to another Day, or in case the Commissioners so assembled, shall omit or neglect to adjourn themselves; then, and in such Case, the Clerk to the said Commissioners, shall by publick Notice in some News Paper printed within the Weekly Bills of Mortality,

and afterwards adjourn and meet as they shall think proper.

If a sufficient Number do not meet, Clerk to appoint another Meeting;

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rality, to be given at least Ten Days before the next Meeting; or in case the said Clerk shall happen to die or before such Notice given, or shall neglect, refuse, or omit, to give such Notice as aforesaid, then any Two Commissioners shall, and may by the like publick Notice, appoint the said Commissioners to meet at the Place where the last Meeting was appointed to be held, within Fourteen Days next after the Day on which such last Meeting was appointed to be held; and that all Orders and Determinations of the said Commissioners, in Execution of this Act (except as is herein after excepted) shall be at Meetings held in pursuance of this Act, and not otherwise; and that no such Order or Determination shall be made, unless the major Part of the Commissioners present shall concur therein, such major Part not being a less Number than the Number by this Act authorized to make such Order or Determination; nor shall any Commissioner be capable of acting in Execution of this Act, during the Time he shall hold any Office under, or have any Share or Interest in, any Contract relating to the Execution of any of the Powers of this Act.

For his Neglect, &c.

Two Commissioners may appoint one.

Commissioners not to have Shares in Contracts, &c.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, within their respective Divisions, shall and may, by Writing under their Hands and Seals, at their First or any subsequent Meeting, giving Fourteen Days Notice thereof after the First Meeting in some publick News Paper, appoint One or more Clerk or Clerks, and Treasurer or Treasurers, and Collector or Collectors, Receiver or Receivers, of the Rates or Assessments, Surveyor or Surveyors, and such other Officer or Officers, for the Execution of this Act, as they the said Commissioners, or any Five or more of them, shall think proper, and, from time to time, remove him or them, and appoint others, as they shall find necessary or convenient; and by and out of the Monies to be raised by virtue of this Act, may and are hereby impowered to appoint and pay such Salaries and Allowances to such Officers, and to all other Persons by them the said Commissioners employed in the Execution of this Act, as they shall think reasonable; and the said Commissioners, or any Five or more of them, shall and may take such Security for the due Execution of the respective Offices, by such Person and Persons as aforesaid, as the said Commissioners, or any Five or more of them, shall think proper; and such Person or Persons as is

They may appoint Officers, &c.

and remove them and appoint others;

and allow them Salaries.

Officers to give Security;

or

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or are hereby made liable to pay the several Rates or Sums of Money hereby granted, shall pay the same to such Person or Persons as shall, from time to time, be so appointed to collect and receive the same, according to the true Meaning of this Act; and all such Officers and Persons, so to be appointed as aforesaid, shall, under their Hands, at such Time and Times, and in such Manner, as the said Commissioners, or any Five or more of them, shall direct, deliver to such Commissioners, or such Person or Persons as they, or any Five or more of them, shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act; and also of all the Monies which shall have been by such Officer or Officers, and Person or Persons respectively, received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes; together with the proper Vouchers for such Payments; and shall pay all such Monies as shall remain in their respective Hands to the said Commissioners, or any Five or more of them, or to such Person or Persons as they shall appoint; and all the said Officers and Persons, so accounting as aforesaid, shall, upon Oath, if thereunto required, which Oath the said Commissioners, or any Two or more of them, are hereby impowered and required to administer, verify their said Accounts; and if any such Officer or Person shall not make and render, or shall refuse to verify upon Oath any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to the said Commissioners, or any Five or more of them, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by any Five or more of such Commissioners, all Books, Papers, and Writings, in his Custody or Power, relating to the Execution of this Act; or shall refuse or neglect to pay such Monies as, upon the Balance of any Account or Accounts, shall appear to be in their respective Hands, to the said Commissioners, or any Five or more of them, or as they shall direct or appoint; then, and in either of the Cases aforesaid, such Commissioners, or any Five or more of them, may and are hereby authorized and impowered to bring, or cause to be brought, any Action or Actions in the Names of such Commissioners, or in the Name or Names of any Two or more of them, against the Officer or Officers, Person or Persons, so neglecting

to account;

and deliver up all Books, &c.

or refusing as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively; or if Complaint shall be made by the said Commissioners, or by any Five or more of them, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Two or more of the Justices of the Peace for the County or Place wherein such Officer or Officers, Person or Persons, so neglecting or refusing shall be and reside; such Justices may, and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cause the Officer or Officers, Person or Persons, so refusing or neglecting, to be brought before them; and upon his and their appearing, or not being to be found, to hear and determine the Matter in a summary Way: And if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, which Oath such Justices are hereby impowered and required to administer without Fee or Reward, it shall appear to such Justices that any of the Monies that shall have been collected or raised by virtue of this Act, shall be in the Hands of such Officer or Officers, Person or Persons; such Justices may and are hereby authorized and required, upon Nonpayment thereof, by a Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattles of such Officer or Officers, Person or Persons respectively: And if no Goods or Chattles of such Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same; then, and in either of the Cases aforesaid, such Justices shall commit every such Offender to the House of Correction, there to remain without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners, or any Five or more of them, and shall have paid such Composition in such Manner as they shall appoint; which Composition the said Commissioners, or any Five or more of them, are hereby impowered to make; or until he shall deliver up such Books, Papers, and Writings, as aforesaid, or give Satisfaction in respect thereof, to the said Commissioners, or any Five or more of them.

Provided

Provided always, That as often as any Collector or Receiver of the Monies to be raised by virtue of this Act, shall die, or be incapable of performing his Duty, it shall be lawful for any Five or more of the said Commissioners, though not assembled at any Meeting pursuant to this Act, by any Writing under their Hands, to appoint another Person to collect such Monies; and such Person shall continue to collect the same, until the Commissioners shall, at a Meeting to be held in pursuance of this Act, appoint a Collector or Receiver of such Monies; any thing herein contained to the contrary notwithstanding.

Commissioners may appoint Officers though not at a publick Meeting.

And be it further enacted, That if any Person who shall be employed as a Clerk, Treasurer, Collector, Receiver, or Surveyor, or any other Officer or Servant who shall be any ways employed by the said Commissioners in putting this Act or any the Powers thereof in Execution, shall exact, take, or accept, any Fee or Reward whatsoever, other than such Salaries, Allowances, and Rewards, as shall be appointed, allowed, and approved of, by the said Commissioners, or any Five or more of them, for or on account of any Thing done, or to be done, by virtue of this Act, or on any Account whatsoever relative to the putting this Act in Execution; or shall any ways be concerned in Interest in any Bargain or Contract made, or to be made, by the said Commissioners, or any of them, for the Purposes of putting this Act in Execution; every such Person so offending shall be incapable of ever serving or being employed under this Act, and shall over and above forfeit the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record, within Six Calendar Months after the Offence committed, in which said Suit no Essoin, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Officers taking any Reward, other than their Salaries, or being interested in any Bargain made by the Commissioners, are disqualified from being employed under this Act, and forfeit also 100l.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times, obstruct, hinder, or molest, any Surveyor or Surveyors, or other Officer or Officers, Workman, Person or Persons whatsoever, who is, are, or shall be, employed by virtue of this Act, in the Performance or Execution of their Duty, every such Person so offending shall, for the First Offence, forfeit the Sum of Twenty Shillings; for the Second Offence, the Sum of Forty Shillings; and for the Third, and every other Offence, the Sum of Three Pounds.

Penalty on interrupting Workmen, &c.

Commissioners to appoint Collectors and Treasurers of the Tolls.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners, and they, or any Seven or more of them, are hereby authorized and required, from time to time, at a General Meeting assembled, to appoint a Collector or Collectors of the Tolls, and a Treasurer or Treasurers of the Money to be collected or raised by virtue of this Act, as, or upon account of, the Tolls hereby authorized to be taken; and the said Commissioners, or any Seven or more of them, shall take such Security of such Treasurer or Treasurers for the due Execution of his and their Office, as the said Trustees, or any Seven or more of them, shall think proper, before such Treasurer or Treasurers shall be allowed to enter upon his or their Office;

Treasurer to give Security.

Money to be paid into the Bank.

and such Treasurer and Treasurers shall, from time to time, as soon as conveniently may be, after he or they shall have received the Sum of Three Hundred Pounds of the Monies appointed to be received by him or them, by virtue of and for the Purposes of this Act, pay the same into the Bank of England, in the Name of, and on Account of, the said Commissioners, and to be disposed of by Order of the said Commissioners, or any Seven or more of them, at a General Meeting assembled for the Purposes of this Act;

Officers to account.

and all such Collectors and Treasurers so to be appointed, shall, and they are hereby made liable to account to and with the said Trustees, or any Seven or more of them, at a General Meeting assembled, with respect to the Business by virtue of this Act committed to their Care and Charge respectively, and to be removed from their Offices in such and the same Manner, and subject to and under such and the same Rules, Orders, Penalties, and Punishments, as are herein before prescribed and directed, with respect to Officers to be appointed within the respective Divisions.

The Streets, &c. to be paved, cleansed, and lighted.

And be it further enacted by the Authority aforesaid, That from and after the said Second Monday, the said Commissioners, or any Five or more of them, within their respective Divisions, shall have full Power and Authority, from time to time, to order and direct the said Streets and Lanes, or any of them within their respective Divisions, to be paved, repaired, raised, sunk, or altered; and also to cause, order, and direct, the said Streets and Lanes, and the said several Courts, Yards, Alleys, Passages, and Places, to be cleansed, lighted, and watched, when and in such Manner as they shall think fit.

Provided

Provided always, and be it further enacted and declared by the Authority aforesaid, That the Pavements of the High Street, from the South End of London Bridge, to the Stones End in Blackman Street, Church Lane, Kent Street, and White Street, in the West Division, and from the West End of Tooley Street, to the North End of Bermondsey Street, in the East Division, shall be compleated, previous to and before any other Street or Place, within the respective Divisions, shall be begun to be paved. What Streets shall be first paved.

And be it further enacted by the Authority aforesaid, That the Commissioners, having the Care of the said West Division, shall, and they are hereby required to cause the said High Street from London Bridge, to the Stones End in Blackman Street, to be paved with the Stone known by the Name of Whyn Quarry Stone, or with Rock Stone, or with Stone of a flat Surface. The *High Street* how to be paved.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall also have full Power and Authority to cause to be dug, carted, and carried out of, or brought into the said Streets and Lanes, such Gravel, Stones, and other Materials; and to employ such Artificers, Workmen, Labourers, Carters, and others; and to issue such Money on those Accounts, and to do all and every such other Acts and Things as the said Commissioners, or any Five or more of them, shall judge necessary or conducive to the accomplishing of the Ends and Designs of this Act. Materials may be dug out of, or brought in to, the Streets, &c.

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

undertake the same, may make Proposals for that Purpose, to be offered and presented to the said Commissioners at a certain Time and Place in each Notice to be mentioned.

Scavengers, by Consent of the Justices, may lodge their Dirt, &c. in any vacant Place;

Provided always, That the Person or Persons so contracted with for cleansing the said Streets and other Places, or any Part or Parts thereof, shall have Liberty, by the Approbation and Order of the Justices of the Peace acting in and for the said Town and Places, or any Two or more of them, to lodge their Dirt, Dust, Ashes, or other Filth, in such vacant and publick Places in or near the said Streets, and other Places, as shall not appear to the said Justices to be intended to be built upon, and shall be thought convenient by the said Justices, for the Accommodation of the Country Carts; they the said Persons, so contracted with, giving such Satisfaction to the Owners and Occupiers of such vacant Places, as the said Justices shall direct.

making Satisfaction.

Surveyors to inspect the Works.

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

Agreement between Landlord and Tenant, touching Paving, &c. the Streets, &c. not vacated.

Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall be deemed or taken to make void any Contract, Covenant, or Agreement, between Landlord and Tenant, touching or concerning the Paving the said Streets,

lighting or cleansing the same, or the said Courts, Yards, Lanes, Alleys, Passages, and Places, any or any Part of them, or either of them; but that every Person who is now, by virtue of any such Contract or Agreement, obliged to pave, keep in Repair, cleanse, or light, any Part of the said Streets, Courts, Yards, Lanes, Alleys, Passages, or Places, or either of them, shall, in lieu thereof, be obliged to pay the Rates hereby directed to be made and assessed, or so much thereof as shall, by the said Commissioners, or any Five or more of them, be deemed just and reasonable, according to the true Meaning of such Contract, Covenant, or Agreement, for and during such Time as such Contract, Covenant, or Agreement, shall remain in Force; and in case any Dispute shall arise concerning such Contract, Covenant, or Agreement, the said Commissioners, or any Five or more of them, shall have Power, and they are hereby required to hear and finally determine the same.

Persons authorized by the Commissioners, to be allowed to inspect, &c. Parochial Rates.

And, for the better Information of the said Commissioners in putting this Act in Execution, be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons authorized by the said Commissioners, or any Five or more of them, at all convenient Times (first having an Order under the Hands of the said Commissioners, or any Five or more of them, for that Purpose) to inspect and take Copies of, or Extracts out of or from, any Book or Books, Rate or Rates, made or kept by any Parish Officer or Officers, or other Officer or Officers appointed by Authority of Parliament, within the Cities of London or Westminster, or Counties of Middlesex or Surrey, for the paving, cleansing, or lighting, any Square, Street, Lane, Place, or District, in London, Westminster, Middlesex, or Surrey; which Inspection, Copies, and Extracts, the Vestry Clerk or Vestry Clerks, or other Officer or Officers of the respective Parishes and Places, or other Officer or Officers, Person or Persons, having the Custody of such Book and Rate, Books and Rates, are hereby required to permit and suffer to be made, without Fee or Reward, by such Receiver or Receivers, or other Person or Persons appointed as aforesaid, on their producing an Order under the Hands of the said Commissioners, or any Five or more of them, for that Purpose: And in case any such Vestry Clerk, or other such Officer or Officers, or Person or Persons, shall neglect or refuse so to do, within Fourteen Days after such Order shall be produced and shewn to him or them, or a Copy thereof left at his or their last or most usual Place of Abode; then, and in every such Case, he or they so refusing

Penalty of Refusal by Vestry Clerk, &c.

refusing or neglecting, shall, for the First Offence, forfeit the Sum of Twenty Shillings; for the Second Offence, the Sum of Forty Shillings; and for the Third and every other Offence, the Sum of Three Pounds.

Contracts made in each Division, free for the Inspection of Commissioners in the other.

And be it further enacted by the Authority aforesaid, That all the Accounts and Contracts of the Commissioners of each of the said Divisions shall, at all Times, be open and free for the Inspection and Examination of all and every of the Commissioners appointed by this Act; and that the Commissioners of each of the said Divisions, within Eight Days after Demand in Writing shall be made by any of the said Commissioners for that Purpose, shall cause a true Copy of such Accounts and Contracts, or of so much thereof as shall be so required, to be delivered to such of the said Commissioners who shall require the same, upon Payment of the Sum of One Shilling for every hundred Words and Figures which shall be contained in such Copy.

Watchmen.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five more of them, shall and may, yearly and every Year, and they are hereby authorized and required, to order and establish such Number of Watchmen, Beadles, and other Officers, as they shall judge necessary and proper to be kept or employed in the said Streets, and other Places, as aforesaid; and to nominate and appoint such honest and able-bodied Men to be employed in that Service, as they shall think best qualified for the same; and shall likewise direct and appoint, in Writing, how and where the several Watchmen shall be stationed, and in what Manner they shall be armed, how often they shall go their Rounds, how long they shall continue upon Duty, and what Wages shall be allowed to such Watchmen, Beadles, and other Persons, for their Attendance; and shall and may also erect, hire, or otherwise provide, a proper Place or Places for the Reception of the Watchmen, Beadles, and other Persons, as aforesaid; and shall make all such Orders and Regulations in Writing, as the Nature of the Service shall appear to them the said Commissioners, or any Five or more of them, to require.

Regulations to be signed by Commissioners.

And be it further enacted by the Authority aforesaid, That true Copies or Transcripts of all such Nominations, Orders, and Regulations, as shall be made, from time to time, for the better Direction and Government of the Watchmen, Beadles, and other Persons, shall be signed by the said Commissioners, or any Five or more of them; and the said Watchmen, Beadles, and other Persons, shall keep Watch and Ward within the said Streets, and other Places, for such respective Times,

and

and in such Manner, as shall, from time to time, be appointed by the said Commmissioners, or any Five or more of them; and shall, in their several Turns and Courses of watching, use their best Endeavours to prevent all Mischiefs happening by Fires, and all Murders, Burglaries, Robberies, Breaches of the King's Peace, and all other Outrages and Disorders; and to that End shall, and they are hereby jointly and severally empowered and required, to arrest, apprehend, and detain, in the Watch-house, or other convenient Place of Security, to be provided or appointed by the said Commissioners, or any Five or more of them, within, or near to, the said Streets, all Malefactors, Disturbers of the King's Peace, and all suspected Persons, who shall be found wandering or misbehaving themselves, and shall carry them (so soon as conveniently may be) before One or more of His Majesty's Justices of the Peace acting in and for the said Town and Places, to be examined and dealt with according to Law; and the said Beadles, and other Persons, shall, so often in every Night as shall be ordered by the said Commissioners, or any Five or more of them, go about their respective Districts and Rounds, to take Notice whether all the Watchmen perform their Duty in their several Stations, according to such Orders and Regulations as shall be provided for that Purpose by the said Commissioners as aforesaid: And in case any Watchman shall misbehave himself, or neglect his Duty, the said Beadles, or other Person or Persons respectively, shall, as soon as conveniently may be, give Notice thereof to the Treasurer to the said Commissioners, who is hereby authorized to suspend such Watchman from the Execution of his Office, and appoint another Person to officiate therein until the next Meeting of the said Commissioners, when the said Treasurer shall acquaint the Commissioners assembled at such Meeting with the Complaint against such Watchman, in order for the said Commissioners to proceed to the Examination of the Offence; and such Watchman shall be subject and liable to the Penalty of Five Shillings for every such Neglect or Misbehaviour, or be discharged from his said Office of Watchman.

Disturbers of the Peace may be secured.

And be it further enacted by the Authority aforesaid, That if the said Beadles, and other Persons, or any of them, shall wilfully neglect to attend in their Turn to keep Watch and Ward, or shall not come to keep Watch and Ward, in Manner or during the Times which shall be appointed by the said Commissioners for their Attendance thereon; or shall depart from, or leave

Penalty on Beadles, &c. neglecting Duty.

keeping Watch and Ward, during the respective Hours appointed by the said Commissioners as aforesaid for keeping the same, or shall otherwise neglect their Duty or misbehave themselves; the Persons so offending, shall respectively forfeit and pay for every such Neglect or Offence, any Sum not exceeding Twenty Shillings.

Watchmen to apprehend Malefactors.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Watchmen, or any of them, in the Absence of the Beadle, or other Person or Persons as aforesaid; and they are hereby respectively authorized and required in their several Stations, during the Time of their keeping Watch and Ward, to apprehend all such Malefactors, Disturbers of the King's Peace, and all such suspected Persons who shall be found wandering or misbehaving themselves; and to carry the Person or Persons so apprehended (as soon as conveniently may be) before some neighbouring Justice of the Peace for the said County, to be examined and dealt with according to Law; and to keep such Person or Persons within the Watch-house, or some other Place of Safety, in the mean Time.

Property of all Materials vested in the Commissioners:

And be it further enacted by the Authority aforesaid, That the Property of the Pavements, Lamps, Iron, Timber, Furniture, Watch-houses, Turnpikes, Toll-houses, and of all other Materials and Things, which shall be provided or made use of for the Purposes of this Act, shall be, and the same are hereby vested in the Commissioners within their respective Divisions for the time being; and they, or any Five or more of them, are hereby authorized and impowered to bring, or cause to be brought, any Action or Actions, in the Name or Names of any One or more of them; or to prefer, and order and direct the preferring of Indictments, against any Person or Persons who shall steal, take, or carry away, any or any Part of such Materials or Things, or disturb them in the Possession thereof.

Penalty on stealing or injuring the Materials;

and on damaging or extinguishing Lamps.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully break, throw down, or otherwise damage, any of the Lamps which shall be erected by the said Commissioners, or any of the Posts, Irons, or other Furniture thereof, or extinguish any of the said Lamps when lighted; it shall and may be lawful to and for any One or more Justice or Justices of the Peace acting in and for the said Town and Places, and he and they is and are hereby required, upon Oath made of the Commission of any such Offence (which Oath such Justice or Justices is and are hereby impowered and required to administer to any Person

Person or Persons offering to make the same) to issue a Warrant or Warrants, for apprehending the Party or Parties accused; or it shall be lawful for any Person or Persons whatsoever, who shall see such Offence committed, to apprehend, as also for any other Person or Persons, to assist in apprehending the Offender or Offenders, and by Authority of this Act, and without any other Warrant, to convey him, her, or them, or to deliver him, her, or them, into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said Town and Places, to be dealt with as herein after is directed; and the Party or Parties accused, being brought before any such Justice, or Oath being made before him, that such Party or Parties cannot be found and apprehended (which Oath the said Justice is hereby also impowered and required to administer) such Justice shall proceed to examine upon Oath any Witness or Witnesses, who shall appear or be produced to give Information touching such Offence; and if the Party or Parties accused shall be convicted of such Offence, either by his, her, or their own Confession, or upon such Information as aforesaid, he, she, or they, so convicted, shall for the First Offence, respectively forfeit the Sum of Ten Shillings, for each Lamp so broken, thrown down, damaged, or extinguished, as aforesaid; and for the Second Offence, the Sum of Fifteen Shillings; and for the Third, and every subsequent Offence, the Sum of Twenty Shillings; and full Satisfaction shall also be made to the said Commissioners, or to their Surveyor, by such Offender or Offenders, for the Damage so by him, her, or them, done as aforesaid; and in case such Offender or Offenders shall not upon Conviction pay such Forfeiture by him, her, or them, incurred, and make such Satisfaction as aforesaid, the Justice before whom such Offender or Offenders shall be convicted, is hereby required to commit him, her, or them, to the House of Correction for the said County, there to be kept to hard Labour for any Time not exceeding Three Calendar Months; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they, shall be committed, unless such Forfeiture and Satisfaction shall be sooner paid and given; and One Moiety of the said respective Forfeitures, when recovered, shall be paid to the Informer or Informers, and the other Moiety shall be applied for the Purposes of this Act: And if any Person shall negligently or accidentally break, throw down, or otherwise damage, any of the said Lamps, or any of the Posts,

Irons,

Irons, or other Furniture thereof, and shall not, upon Demand, make Satisfaction to the said Commissioners, or any Five or more of them, or to their Surveyor, for the Damage by such Person done as aforesaid; it shall be lawful for any Justice of the Peace for the said Town and Places, and he is hereby required, upon Complaint to be made by any Five or more of the said Commissioners, or by their Surveyor, to summon the Party complained of; and upon his or her Appearance, or making Default to appear (Oath being made that the Party complained of was served with such Summons, or that the same was left at his or her Dwelling-house or Place of Abode, if known, or that he or she could not be found) such Justice shall proceed to examine the Matter of the said Complaint; and upon Proof thereof, either by Confession of the Party complained of, or by the Oath of One or more credible Witness or Witnesses, (which Oath the said Justice is hereby impowered and required to administer) shall award and order such Satisfaction to be made by the Party complained of, for the Damage so by him or her done, as to such Justice shall appear just and reasonable; and shall cause the Sum so awarded (in case the same be not paid forthwith upon the making of such Award or Order) to be levied by Distress and Sale of the Offender's Goods and Chattles, rendering to him or her the Overplus (if any be) upon Demand, after the Charges of prosecuting such Complaint, and of such Distress and Sale, shall be deducted; and in case sufficient Distress cannot be found, such Justice shall commit the Party complained of to the Common Gaol or House of Correction for the said County or Borough, until he or she shall pay the Sum so awarded, or for any Time not exceeding the Space of One Calendar Month.

Commissioners may sell the old Materials, and apply the Money, &c.

And it is hereby further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall have full Power and Authority, within their respective Divisions, from time to time, to sell and dispose of all or any Part of the old Pavement, or other Materials, to such Person or Persons as shall be willing to purchase the same, and to apply the Purchase-money to the Purposes of this Act.

Notice to be given to Surveyor of taking up Pavement for repairing, &c. any Vault or Drain, &c.

And be it further enacted by the Authority aforesaid, That when and so often as any Part of the Pavement of the said Streets or Lanes shall be taken up for the Purpose of making, repairing, altering, cleansing, or emptying, any Sewer, Vault, or Drain, or of laying, altering, or amending, any Water Pipe or Plug, or for

for any other Purpose whatsoever; the Person or Persons so taking up such Pavement, shall immediately give Notice thereof to the Surveyor or Clerk to the Commissioners for putting this Act in Execution, in order that the same may, with all convenient Speed, be laid down and repaired, under the Inspection of the said Surveyor, and the Charges and Expences thereof shall be paid by the said Commissioners, and they shall be reimbursed the same by the Person or Persons, Companies of Water-works, or Commissioners of Sewers, who shall take up, or cause or procure to be taken up, the said Pavement, or any Part or Parts thereof. Commissioners to re-lay it, and be reimbursed the Expences.

Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners for putting this Act in Execution, or any Five or more of them, within their respective Divisions, from time to time, to compound and agree with the said Companies, or Commissioners of Sewers, or other Person or Persons respectively, for a certain Sum of Money, by the Foot or other Measure, as the said Commissioners for putting this Act in Execution, or any Five or more of them, shall think reasonable; in lieu and in stead of laying down or repairing such Pavement as shall be necessarily taken up for any the Purposes aforesaid. Commissioners may contract with the Companies, &c. for relaying such Pavements.

And be it further enacted by the Authority aforesaid, That in case such Person or Persons, Companies of Water-works, or Commissioners of Sewers respectively, shall neglect or refuse to pay what the said Commissioners shall have so paid and disbursed, or what shall be due upon such Contract or Composition as aforesaid, within Ten Days next after Notice thereof, to be left, by the Receiver or Receivers appointed, or to be appointed, by the said Commissioners, at the Dwelling-house, or last Place of Abode, of such Person or Persons, or of the Secretary or Secretaries, Clerk or Clerks, of such Companies of Water-works, or Commissioners of Sewers respectively; which Notice shall be in Writing, and signed by the Clerk to the Commissioners for putting this Act in Execution, by order of the said Commissioners, or any Five or more of them, and annexed to the Bill, containing an Account of the Expence of such Repair, or Money due upon such Composition; it shall and may be lawful to and for the said last mentioned Commissioners, or any Five or more of them, and they are hereby authorized and impowered to bring, or cause to be brought, any Action or Actions, in the Name of their Clerk for the time being, for the Recovery On Refusal of Payment, an Action may be brought for the Money.

covery of such Sum or Sums of Money respectively; and in case such Person or Persons hereby directed to give such Notice to the Surveyor or Clerk, as is before directed, shall neglect so to do for the Space of Twenty four Hours after such Pavement shall be so taken up, such Person or Persons shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings.

Commissioners to pay for altering Pipes.

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

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

And be it further enacted by the Authority aforesaid, That when and so often as it shall happen, that any Pipe or Pipes belonging to any Water Company shall break or burst in the said Streets or Lanes, or either of them, it shall and may be lawful to and for the Surveyor to the said Commissioners for the time being, or such other Person as the said Commissioners, or any Five or more of them, shall appoint for that Purpose, to give immediate Notice thereof to the Paviour of the Water Company, to whom he apprehends such Pipe or Pipes does, or do, or may belong, and require 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 such Pipe or Pipes breaking or bursting, within Two Days next after such Notice given to such Paviour, or left at his last or usual Place of Abode; and if upon taking up the Pavement, and opening the Ground, it shall appear that the Pipe or Pipes so broke or burst, do not belong to the Water Company whose Paviour shall have taken up such Pavement, and opened such Ground, that then, and in such Case, the Surveyor, or other Person as aforesaid, shall give immediate Notice to the Paviour of that Company to whom it shall appear that the said Pipe or Pipes belong, such Notice to be given or left with such Paviour, or at his last or usual Place of Abode, and the Paviour of the Company to whom such Pipe or Pipes shall belong, is hereby

hereby required to repair the ſame, and fill in the Ground within Six Days after ſuch Notice given or left as aforeſaid, and alſo within Twelve Hours after ſuch Pipe ſhall be repaired, and the Ground filled in, to give Notice to the Paviour or Paviours contracting with the ſaid Commiſſioners, or to the Surveyor, or other Perſon aforeſaid, of ſuch Pipe or Pipes being repaired, and ſuch Ground being filled in, ſuch Notice to be given to ſuch Contractor, Surveyor, or other Perſon, or left at his or their laſt or uſual Place of Abode: And in caſe it ſhall happen that the Paviour who firſt receives Notice to take up the Pavement, and open the Ground for the Purpoſes aforeſaid, ſhall take up ſuch Pavement, and open ſuch Ground, and it ſhall then be diſcovered that the Pipe or Pipes which is, are, or ſhall be burſt or broke, doth or do not belong to the Company to whom he is Paviour; that then, and in ſuch Caſe, the Paviour of the Company to whom ſuch Pipe or Pipes belong, ſhall make Satisfaction to the Paviour who ſo took up ſuch Pavement, and opened ſuch Ground for ſuch Work; and in caſe the Paviour to whom ſuch Notice ſhall be ſo given to take up ſuch Pavement, and open ſuch Ground, ſhall neglect or refuſe to do the ſame, within the ſaid Two Days after Notice given, he ſhall, for the Firſt Offence, forfeit and pay the Sum of Twenty Shillings, for the Second Offence, the Sum of Forty Shillings, and for the Third, and every other Offence, the Sum of Three Pounds; and in caſe the Paviour of the Company to whom ſuch Pipe or Pipes ſo broke or burſt ſhall belong, ſhall neglect or refuſe to repair and amend the ſame, and fill in the Ground ſo taken up, for the Space of Six Days next after ſuch Notice given, or ſhall neglect to give Notice to the Paviour or Paviours contracting with the ſaid Commiſſioners, or to the Surveyor to the ſaid Commiſſioners, or to ſuch other Perſons as aforeſaid, ſuch Paviour ſhall, for the Firſt Offence, forfeit the Sum of Twenty Shillings, for the Second Offence, the Sum of Forty Shillings, and for the Third and every other Offence, the Sum of Three Pounds; and if the Perſon or Perſons contracting with the ſaid Commiſſioners, to re-lay ſuch Pavement ſo broke or taken up, for the Reaſons aforeſaid, ſhall neglect or refuſe to re-lay ſuch Pavement, in a good, ſufficient, and effectual Manner, within Two Days after ſuch Notice given to him as aforeſaid; or if the Surveyor, or other Perſon to whom ſuch Notice ſhall be given, ſhall neglect to acquaint the Contractor of ſuch Notice, then, and in every ſuch Caſe, the Perſon

When completed, Notice to be given to Commiſſioners Paviour.

If it proves that the Pipe does not belong to the Company who firſt opens the Ground, they are to be paid their Charges by the Company to whom it does belong.

or Persons so offending shall, for the First Offence, forfeit the Sum of Twenty Shillings, for the Second Offence, the Sum of Forty Shillings, and for the Third and every other Offence, the Sum of Three Pounds.

Pavions to Water Companies to give Notice to the Surveyor or Clerk of their Names and Abode.

And be it further enacted by the Authority aforesaid, That the several and respective Paviours now appointed, or hereafter to be appointed, by the said several and respective Water Companies, shall, and they are hereby required, within the Space of Three Days next after the passing this Act, or within the Space of Three Days next after he shall be appointed Paviour to such Company or Companies, to give Notice in Writing to the Surveyor or Clerk for the time being to the said Commissioners of his the said Paviour's Name, Place of Abode, and to what Company he is Paviour; and in case any such Paviour or Paviours shall neglect or refuse to give such Notice within the respective Times aforesaid, every such Paviour so offending in either of the said Cases, shall, for the First Offence, forfeit the Sum of Twenty Shillings; for the Second Offence, the Sum of Forty Shillings, and for the Third and every other Offence, the Sum of Three Pounds.

No Alteration to be made in the Form of the Pavements, without Commissioners Consent.

And be it further enacted by the Authority aforesaid, That no Person or Persons shall make, or cause to be made, any Alteration in the Form of any of the Pavement of the said Streets or Lanes, or of any Part thereof, without the Consent and Direction of the said Commissioners, or any Five or more of them, under their Hands and Seals; upon Pain of forfeiting, for every such Offence, the Sum of Five Pounds, over and above all Expences incurred or to be incurred in reinstating the same.

Course of Gutters to be turned, if necessary,

and Grates altered, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, from time to time, to direct and cause the Course of any Gutter or Channel, running in or through the said Streets or Lanes, or either of them, to be turned or altered in such Manner as they shall think proper, and to direct the Grates already placed, or hereafter to be placed, over any Sewers, to be removed and replaced in such Manner, and at such Place and Places, as they shall think most proper; all which shall, from time to time, be done at the Expence of the said Commissioners, and paid for out of the Money arising by virtue of this Act; any Law, Usage, or Custom, to the contrary notwithstanding.

And

And be it further enacted by the Authority aforesaid, That when and so often as there shall be Occasion to make new or additional Grates over any Sewer or Sewers within the said Streets or Lanes, or either of them, or to repair or alter any of the old Grates belonging to the Commissioners of Sewers, in the said Streets or Lanes, or either of them, the same shall be made new, repaired, or altered, by, and at the Expence of, the said Commissioners of Sewers; and the same, when so made new, repaired, or altered, shall be laid down in such Places, and at such Distance from each other, and in such Manner and Form, as shall be directed by the Surveyor to the Commissioners for putting this Act in Execution, at the Expence of the said Commissioners of Sewers; and, in case the said Commissioners of Sewers shall neglect or refuse so to do for the Space of Ten Days next after Notice given or left with their Clerk or Clerks for the time being, it shall and may be lawful to and for the said Commissioners appointed by this Act, or any Five or more of them, or their Surveyor, to cause such Grate or Grates as shall be necessary to be made new, repaired, altered, and laid down, to be so made new, repaired, altered, and laid down; the Expence whereof shall be reimbursed and paid by the said Commissioners of Sewers, or recovered of them in like Manner as the Charges and Expences of re-laying Pavements is herein before authorized to be recovered.

Where it shall be necessary to make new Grates, or repair old ones, Commissioners of Sewers to pay the Expence.

And be it further enacted by the Authority aforesaid, That when and so often as any Sewer or Drain, which is or shall be under the Direction of the Commissioners of Sewers, and which shall be situate in or communicating with the said Streets or Lanes, or either of them, shall require to be made new, repaired, altered, cleansed, or emptied; then, and in every such Case, the said Commissioners of Sewers shall, within Six Days after Notice given to or left for their Surveyor for the time being, at his last or usual Place of Abode, by the said Commissioners appointed to put this Act in Execution, or any Five or more of them, or by the Surveyor, or other Person authorized by them, make new, effectually repair, clean, or empty, such Sewer or Drain, as the Case may require: And, in Default thereof, that it shall and may be lawful to and for the said Commissioners appointed by this Act, or any Five or more of them, or their Surveyor or Surveyors for the time being, to cause such Sewer or Drain to be made new, repaired, altered, cleansed, or emptied, as the Case may require, or so much thereof as shall remain

Sewers to be repaired, &c. by Commissioners of Sewers.

On their Neglect, the same to be done by these Commissioners,

and paid for by Commissioners of Sewers.

main unfinished; the Charges and Expences whereof shall be paid by the Commissioners for putting this Act in Execution, who shall be reimbursed the same by the Clerk or Treasurer for the time being to the said Commissioners of Sewers: And, in case the said Clerk or Treasurer to the said Commissioners of Sewers shall neglect or refuse to pay what shall have been so paid and disbursed, within Ten Days next after Notice thereof shall be left at the Dwelling-house or last Place of Abode of such Clerk or Treasurer; which Notice shall be in Writing, and signed by the Clerk to the Commissioners for putting this Act in Execution, and annexed to the Bill, containing an Account of such Charges and Expences; it shall and may be lawful to and for the said last mentioned Commissioners, or any Five or more of them, and they are hereby authorized and impowered to bring, or cause to be brought, any Action or Actions, in the Name of their Clerk for the time being, against such Clerk or Treasurer of the Commissioners for the time being, for the Recovery of such Sum or Sums of Money as they shall have so expended for the Purposes aforesaid; in which Action or Actions no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Penalty of laying Ashes, &c. in the Streets.

And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever shall throw, cast, or lay, or cause, or permit, or suffer, to be thrown, cast, or laid, any Ashes, Dust, Dirt, Soil, or other Filth whatsoever, before any Dwelling-house, Shop, Stable, Building, or Wall, in either of the said Streets or Lanes, or in any or either of the said Courts, Yards, Alleys, Passages, or Places; but shall keep, or cause the same to be kept, in their respective Houses or Yards, until such Time as the Person or Persons contracted with or employed to carry away such Ashes, Dust, Dirt, Filth, or Soil, do come by or near their Houses, Doors, or Places, where they dwell, with a Cart or Carts, or other Conveniencies, for carrying away the same, upon Pain of forfeiting, for the First Offence, the Sum of Five Shillings; for the Second Offence, the Sum of Ten Shillings; and for the Third, and every other Offence, the Sum of Twenty Shillings.

Penalty on obstructing the Streets, &c. by Carriages, Timber, or other Materials.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, from and after the said Second Monday next after the passing of this Act, set out, lay, drive, or carry, or cause or procure, permit or suffer, to be set out, laid, drove, or carried, any Coach, Cart, Dray, Waggon, or other Carriage,

Wheels, Timber, Stones, or any other Material, Matter, or Thing, which may occasion any Annoyance, Nuisance, or Obstruction whatsoever, in the said Streets or Lanes, or either of them, so as to stop, obstruct, incommode, or endanger, any Person or Persons, Cartiage or Carriages whatsoever, passing thereon; or if any Cart, Waggon, or other Carriage, with Hay or Straw therein for Sale; or any Cart, Waggon, Coach, or other Carriage, intended to be let out or worked for Hire (except Hackney Coaches, which shall stand in such Part or Parts of the said Streets or Lanes, or some of them, as shall be appointed by the said Commissioners, or any Five or more of them) shall be suffered to stand in either of the said Streets or Lanes for any the Purposes aforesaid respectively; or if any Cart, Waggon, or other Carriage, or any Wheel-barrow, shall be suffered to remain in the said Streets or Lanes, or either of them, any longer than is needful and proper for the necessary loading or unloading thereof respectively; or if any Cart, Dray, or other Carriage, shall be placed or set across any Part of any of the said Streets or Lanes within the said Parishes, or either of them, for the Purposes of loading or unloading the same; it shall and may be lawful, in any of such Cases, for the said Commissioners, or any Five or more of them, either at any Meeting in pursuance of this Act, or without any such Meeting, to cause the said Carts, Waggons, Coaches, or other Carriages, and Matters, and Things respectively, making or occasioning such Annoyance, Nuisance, or Obstruction, to be removed, taken, carried away, and deposited, in such Place or Places, as the said Commissioners, or any Five or more of them, shall direct or appoint; there to remain until the Offender or Offenders shall have paid and discharged all Costs, Charges, and Expences, attending the carrying away and depositing the same as aforesaid, as also a Sum not exceeding Forty Shillings for each such Offence.

Hackney Coaches excepted.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall run, drive, draw, or cause to be run, driven, or drawn, on any Part of the Foot Pavements of the said Streets or Lanes, or either of them, any Wheel or Wheels, Sledge, Wheelbarrow, or any Carriage whatsoever; such Person or Persons shall forfeit, for the First Offence, the Sum of Ten Shillings; for the Second Offence, the Sum of Twenty Shillings; and for the Third, and every other Offence, the Sum of Forty Shillings.

Penalty of driving, &c. any Wheelbarrow, &c. on the Foot Pavements

Provided

Hoards, &c. may be made for Building or Repairing, with Leave.

Provided always, and be it further enacted by the Authority aforesaid, That it shall be lawful for any Person or Persons to erect or set up, or cause to be erected or set up, in the said Streets or Lanes, any Inclosure, Posts, Bars, or Rails, or other Matters or Things, for the Purpose of making Mortar, and depositing Bricks, Lime, or other Materials, for building or repairing any Houses, Buildings, or other Works; every such Person or Persons first obtaining Leave, under the Hand of the Surveyor for the time being to the said Commissioners, for those Purposes respectively, which he is hereby impowered to give, by their Permission: But if any Person or Persons shall erect or set up, or cause to be erected or set up, any such Inclosures, Posts, Bars, or Rails, or any other Matter or Thing, for the Purposes aforesaid, without such Leave first had and obtained, every such Person shall, for every such Offence, forfeit and pay a Sum not exceeding Twenty Shillings for every Hour such Inclosure, Matter, or Thing, as aforesaid, shall remain and continue.

Commissioners may order the Streets to be watered;

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall have full Power and Authority to cause the said Streets and Lanes to be watered as often as there shall be Occasion, in such Manner as the said Commissioners, or any Five or more of them, shall direct; and to defray the Expences thereof out of the Money to be raised by virtue of this Act.

And Wells to be dug in proper Places.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to erect Porters Blocks or Rests; and to cause to be dug and sunk, in such Place or Places in the said Streets or Lanes, or in any Street, Lane, Court, Yard, Alley, Passage, or Place, adjoining, any Well or Wells; and also to erect any Pump or Pumps on or near the same; and also to remove or alter any Pump now standing in the said Streets or Lanes, for the Purpose of watering the said Streets or Lanes, in such Manner as the said Commissioners, or any Five or more of them, shall direct.

Names of Streets, &c. to be affixed on the Corner Houses.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, may order and direct the Houses within the said Streets and Lanes, and within the said Courts, Yards, Alleys, Passages, and Places, or any of them, to be numbered with Figures placed or painted on the Doors thereof,

thereof, or in such other Part of the said Houses respectively as they the said Commissioners, or any Five or more of them, shall think proper; and may also order and direct to be engraved, painted, or otherwise described, on a conspicuous Part of some House, or other Building, at or near the End or Corner of each Street, Lane, Court, Yard, Alley, Passage, or Place, adjoining to, or being near, the said Streets or Lanes hereby directed to be regulated respectively, the Names by which such respective Street, Lane, Court, Yard, Alley, Passage, or Place, so adjoining, is usually or properly called or known; and if any Person or Persons shall wilfully or maliciously destroy, injure, obliterate, or deface, any such Number, Figure, Name, or Description, or any Part thereof, or cause or procure the same to be done, and shall be convicted thereof by his or her own Confession, or by the Oath of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace acting in and for the said Town and Places, which Oath the said Justice or Justices is and are hereby impowered to administer; every such Person so offending shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

Signs, &c. to be regulated.

And be it further enacted by the Authority aforesaid, That from and after the said Second Monday next after the passing of this Act, the said Commissioners, or any Five or more of them, shall cause all Signs, which then, or at any Time after, shall be placed or hung in any Part or Parts of the said Streets and Lanes, to be fixed or placed on the Fronts of such Houses respectively whereto the same shall belong; and also shall and may cause all Sign Irons, Posts, Boards, Gutters, or other Things, occasioning any Obstruction or Annoyance in the said Streets, to be removed or altered, in such Manner as the said Commissioners, or any Five or more of them, shall think most proper and convenient; and that for the future, all Signs, Boards, Spouts, or Gutters, shall be placed or fixed on the Fronts of the Houses, Shops, Warehouses, or Buildings, whereunto they respectively belong, and not otherwise; And if any Person or Persons shall, at any Time hereafter, hang, place, erect, or build, any Sign, Sign Post or Iron, Board, Spout, or Gutter, or cause the same to be done, in any other Manner than as aforesaid, or shall in any Manner occasion any Incroachment or Annoyance in the said Streets or Lanes; every such Person shall, for every such Offence, forfeit and pay the Sum of Five Pounds.

Provided

Signs, &c. unused, to be returned.

Provided always, and be it further enacted by the Authority aforesaid, That if any, or any Part of any, such Sign, Sign Iron or Post, Board, Gutter, or Spout, shall remain unused after the Alteration made thereto, as before directed, the same shall be returned to, and be the Property of, the Person to whom the same belonged before such Removal or Alteration.

And whereas the said Streets and Lanes are, in some Parts thereof, greatly obstructed and made dangerous to Foot Passengers, by Steps being brought out from Houses, Steps and Doors going down into Cellars, Vaults, and other Places, and by Shew Glasses, Shew Boards, or other Matters or Things projecting from Shops or Houses, over and beyond the Area belonging to such Houses, or into the Foot-ways; be it therefore further enacted by the Authority aforesaid, That from and after the said Second Monday after the passing of this Act, all such Steps projecting into the Foot-ways of the said Streets and Lanes, and all Steps and Doors going down out of the Foot-ways into any Cellars, Vaults, or other Places, belonging to any House, Shop, Warehouse, or Tenement, as likewise all Shew Glasses or Shew Boards projecting over and beyond the Areas, or into the Foot-ways, and all and every other Material, Matter, or Thing, belonging to any House, Warehouse, Shop, Cellar, or other Building, which cause or occasion any Nuisance, Annoyance, Incroachment, or Obstruction, in the said Streets or Lanes, or either of them (either in the Foot or Carriage-way thereof) shall be, at the Expence of the said Commissioners, from time to time, removed, fixed, placed, or altered, in such Manner and Form as shall be approved of by the said Commissioners, or any Five or more of them, or their Surveyor by their Direction.

Steps, &c projecting too far, to be removed.

And whereas the paving all the Streets and Lanes comprized within the Limits of this Act will necessarily require a Course of Time, and the Pavements of many Places continue very bad and dangerous, and the present Method of presenting these Inconveninces by the Leet-juries is often attended with great Delays: And whereas it is apprehended, that if Power was given to the Commissioners for executing this Act to remedy these Defects, the same would be of publick Utility; be it therefore enacted by the Authority aforesaid, That the Surveyor to the said Commissioners, or any other Person or Persons appointed by them, shall, as often as he or they is or are directed by the said Commissioners, or any Five or more of them, view the State and Condi-

Pavements in other Streets, how to be repaired.

tion of the said Streets, Lanes, and other Passages, within the Parishes and Places aforesaid, and all Nuisances, Defects, and Wants of Repair, and to present the same to the said Commissioners in their respective Divisions upon Oath; which Oath they, or any Five or more of them, are hereby impowered to administer; and the said Commissioners, or any Five or more of them, shall thereupon send Notice in Writing, to the House or Houses, or other Buildings or Tenements where such Nuisance or Defect shall be, requiring the same to be removed or amended within Fourteen Days then after; and if the same shall not be done according to such Order and Notice, the said Commissioners, or any Five or more of them, shall thereupon cause the Nuisances or Defects to be removed or amended, and they shall be reimbursed and paid by the Tenant or Tenants, Occupier or Occupiers, of the respective Houses or other Tenements; and such Tenant or Tenants, Occupier or Occupiers, is, and are, and shall be, liable to pay the Whole of such Charges and Expences; and in case such Tenant or Tenants, Occupier or Occupiers, shall not within Six Days after the same shall be demanded, by a Notice thereof in Writing, given to him, her, or them, or left at his, her, or their last or most usual Place of Abode, pay, or cause to be paid, the said Charges and Expences to the said Commissioners, or any Five or more of them, or to such Person or Persons as they shall appoint to receive the same (which said Notice shall be in Writing, and signed by the Clerk to the Commissioners for the time being, by Order of the said Commissioners, or any Five or more of them, and annexed to the Bill containing an Account of the Expences incurred) it shall and may be lawful for the Person or Persons so to be appointed by the said Commissioners to receive the same, to make Complaint thereof to any One or more Justice or Justices of the Peace for the County or Place where such Person or Persons, so refusing or neglecting, shall be and reside; and such Justice or Justices may, and is and are hereby authorized and required, to issue a Warrant under his or their Hand and Seal, or Hands and Seals, to cause the Party or Parties to be brought before him or them; and upon the Party or Parties appearing, or not being to be found after due Enquiry and Proof thereof, by the Oath of the Party making such Enquiry (which Oath the said Justice or Justices is and are hereby impowered and required to administer) to hear and determine the Matter in a summary Way: And if upon the Confes-

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tion of the Party or Parties, or by the Oath of One or more credible Witness or Witnesses (which Oath such Justice or Justices is and are hereby impowered and required to administer) it shall appear to such Justice or Justices, that such Charges and Expences have been incurred by the said Commissioners, and not paid or satisfied by the Party or Parties as aforesaid; then such Justice or Justices may, and he or they is and are hereby authorized and required to issue a Warrant or Warrants under his and their Hand and Seal, or Hands and Seals, for levying the same by Distress and Sale of the Goods and Chattles of such Party or Parties; and if after full Payment thereof, together with all Charges attending such Distress and Sale, there shall be an Overplus, then the same shall be paid to the Owner or Owners of such Goods and Chattles upon Demand.

Contracts between Landlord and Tenant not vacated.

Provided always, That nothing herein contained shall be deemed or taken to make void any Custom, Usage, Contract, Covenant, or Agreement, between Landlord and Tenant, touching or concerning the keeping in Repair such Pavement.

Proviso.

Provided also, That nothing in this Act shall be construed to restrain the Power of such Court-leets, but that no Person shall be punished Twice for the same Offence.

And, for defraying the Charges and Expences of paving and repairing the said Streets and Lanes, or any of them, and of cleansing, lighting, and watching the same, and all other Streets, Lanes, Courts, Yards, and other Places aforesaid, and for preventing Annoyances and Incroachments therein, and for other the Purposes of this Act; be it further enacted by the Authority aforesaid, That from and after the passing of this Act, One or more Rate or Rates, Assessment or Assessments, shall Twice in every Year, or oftener, if it shall be thought needful by the said Commissioners, or any Five or more of them, be made, laid, and assessed, by the said Commissioners, or any Five or more of them, within their respective Divisions, of and upon all and every Person and Persons, who do or shall inhabit, hold, or occupy, any Land, House, Shop, Warehouse, Cellar, Vault, or other Tenement, within the said Streets and Lanes respectively, herein before directed and appointed to be in the first Place paved; and upon all and every Person and Persons who do or shall inhabit, hold, or occupy, any Land, House, Shop, Warehouse, Cellar, Vault, or other Tenement, within all other Streets, Lanes, and Places, comprized within this Act, when and so soon as the same shall respectively be begun

The Rates.

gun to be paved by virtue of this Act, in ſuch competent Sum and Sums of Money, as the ſaid Commiſſioners, or any Five or more of them, ſhall yearly, and every Year, order and direct; ſo as ſuch Rates or Aſſeſſments, do not exceed in the Whole, the Sum of Two Shillings in the Pound, in any One Year, of the yearly Rent of ſuch Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, within the ſaid Streets and Lanes reſpectively; nor more than One Half Part of ſuch Rates or Aſſeſſments, in any One Year, of ſuch yearly Rent, within all Wharfs; and the ſaid Courts, Yards, Alleys, Paſſages, and Places, as aforeſaid, Inns, and Livery Stables, the Entrances or Gateways only of which ſaid Inns and Livery Stables, are in the ſaid Streets or Lanes reſpectively.

Certain Streets may be lighted, watched, and cleanſed, forthwith.

And whereas the paving of the ſaid Streets, Lanes, and Places, will neceſſarily require a Courſe of Time to compleat the ſame; and whereas it may be found neceſſary forthwith to light, watch, and cleanſe, the High Street, from the South End of London Bridge, to the Stones End in Blackman Street, Church Lane, Kent Street, and White Street; and alſo from the Weſt End of Tooley Street to the Eaſt End thereof; and alſo the ſeveral other Streets, Lanes, and Places, lying within the ſaid Pariſh of Saint Olave; and alſo from the North End of Bermondſey Street, and through Bermondſey Street to the Hand and Marygold, at the South End thereof; and alſo the ſeveral other Courts, Yards, Alleys, Paſſages, and Places, immediately communicating with or adjoining to the ſame; be it therefore further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, within their reſpective Diſtricts, to make a Rate or Rates, Twice or oftener in every Year, as it ſhall be found neceſſary, upon all and every Perſon and Perſons who do or ſhall inhabit, hold, occupy, or enjoy, any Land, Houſe, Shop, Warehouſe, Cellar, Vault, Wharf, or other Building or Tenement, dead Wall, or void Space of Ground, within or communicating with the ſaid laſt mentioned Pariſh, Streets, and Places reſpectively, in ſuch competent Sum and Sums of Money as they the ſaid Commiſſioners, or any Five or more of them, ſhall think ſufficient; and ſhall and may apply the ſame in cleanſing, watching, and lighting, the ſame Streets, Lanes, and Places reſpectively, under the Powers and Authority of this Act, although the ſame ſhall not be begun to be paved by virtue of this Act.

Rates not to exceed 2s. in the Pound.

Provided always, That such Rate or Rates shall not exceed Two Shillings in the Pound in any One Year, of the yearly Rent of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, Wharfs, or other Buildings, Tenements, dead Walls, or void Spaces of Ground.

Commissioners to cleanse, watch, and light, any Street, on Application of Two Thirds of the Inhabitants.

And be it further enacted by the Authority aforesaid, That if at any Time hereafter Two Thirds of the Householders within any Street, Lane, or Place, comprized within this Act, shall apply by Petition to the said Commissioners, or any Five or more of them, at any of their Meetings within their respective Divisions, desiring to have such Street, Lane, or Place, cleansed, watched, and lighted, under the Powers of this Act; then it shall and may be lawful for the said Commissioners, or any Five or more of them, and they are hereby required to cause the same to be done, and have hereby Power to assess the Inhabitants of such Street or Place respectively, in any Sum not exceeding Two Shillings in the Pound, of the Rent of the Houses, Tenements, or Buildings, within such Street, Lane, or Place respectively.

Rates to be signed by Two Justices.

And be it further enacted by the Authority aforesaid, That all Rates, made by virtue of this Act, shall be allowed and signed by Two Justices of the Peace acting in and for the said Town or Places, who are also hereby impowered and required to grant a Warrant or Warrants for collecting and levying the same; and the said Rates, after the same shall be so allowed and signed by the said Justices, shall be collected half yearly by such Person or Persons as the said Commissioners, or any Five or more of them, shall, by Writing under their Hands and Seals, appoint: And if any Person or Persons shall refuse, neglect, or omit, to pay the Sum or Sums of Money, which he, she, or they, shall be rated or assessed, for the Space of Ten Days after personal Demand made thereof, or Demand in Writing left at the Place of Abode or Occupation of such Person or Persons; then, and in every such Case, it shall and may be lawful for the said Collector or Collectors, and he and they is and are hereby authorized and required to levy the Sum by Distress and Sale of the Goods and Chattles of such Person or Persons so neglecting, refusing, or omitting, to pay the same: And in case no such Goods or Chattles can be found to be so distrained; or in case such Goods and Chattles shall be locked up or secured, or removed from the said Collector or Collectors, so that he or they cannot distrain the same; then, and,

Manner of Recovery.

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in either of the ſaid Caſes, upon Information thereof given to the ſaid Juſtices, or any Two Juſtices of the Peace for the ſaid County or Borough, it ſhall and may be lawful for ſuch Juſtices, and they are hereby required to commit the Offender or Offenders to the Common Gaol or Houſe of Correction for the ſaid County or Borough, there to remain, without Bail or Mainprize, for any Time not exceeding the Space of One Month, or until the Payment of ſuch Rate or Aſſeſſment, and reaſonable Charges occaſioned by the Non-payment thereof.

Rates on Wharfs limited.

Provided always nevertheleſs, and be it further enacted by the Authority aforeſaid, That the Rates to be aſſeſſed upon the Inhabitants and Occupiers of ſuch Wharfs, ſhall not exceed One Half of the Rates which ſhall be aſſeſſed upon ſuch Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, and other Tenements, as ſhall be new paved by virtue of this Act.

Where Houſes are lett out in Tenements, Owners are to be aſſeſſed,

And whereas many Houſes within the ſaid Streets and other Places are, by the ſeveral Owners or Proprietors thereof, lett out in Lodgings or Tenements to divers Tenants, whereby it will be difficult to rate and aſſeſs ſuch Houſes, or to recover ſuch Rates and Aſſeſſments when made; for Remedy whereof, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, from time to time, and at all Times, when they meet to make a Rate in purſuance of this Act, to rate and aſſeſs the Owner or Owners of ſuch Houſes or Tenements as ſhall be lett to, or occupied by, Two or more Tenants; which Rate and Aſſeſſment ſhall be paid by One or more of the Tenants or Occupiers of any Part or Parts of ſuch Houſes: And in caſe any Occupier or Occupiers of any Part of ſuch Houſes or Tenements ſhall refuſe to pay the ſame; then, the ſaid Rate and Aſſeſſment ſhall be levied by Diſtreſs and Sale of the Goods of him, her, or them, ſo refuſing to pay the ſame; and ſuch Occupier or Occupiers of ſuch Tenements reſpectively, is and are hereby required and authorized to pay ſuch Sum and Sums of Money, as ſhall be ſo rated or aſſeſſed on the Owner or Owners of ſuch Houſes, in purſuance of this Act, and to deduct the ſame out of the Rent thereof; and the Owner or Owners, Proprietor or Proprietors thereof, are hereby required to allow ſuch Deductions and Payments, upon the Receipt of the Reſidue of their Rents; and every ſuch Tenant, paying ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be acquitted and diſcharged for ſo much Money as the ſaid

but Tenants to pay;

who may deduct it out of their Rents.

Rate or Rates, Assessment or Assessments, shall amount unto, as if the same had been actually paid to such Person or Persons to whom his, her, or their Rent should have been due and payable.

Rates for Houses under 20 *l. per Annum*, may be compounded for.

Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners, or any Five or more of them, from time to time, to compound with the Owner or Owners, Proprietor or Proprietors, of any such Houses, or any other Houses within the said Streets and Places, the annual Rent or Value whereof shall be under Twenty Pounds, for the Rate by this Act authorized to be laid upon such Houses; so as in such Composition there be not remitted to any such Owner or Owners, Proprietor or Proprietors respectively, more than One Third of the Rate by this Act laid upon such Houses respectively.

Where Houses, &c. shall be unoccupied,

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

Owners to be charged only One Half of the Rates,

and the Premisses to remain a Security.

Tenants and Occupiers to pay the Rates.

And, to the End the said Rates may be more effectually collected and received, be it further enacted, That all and every Tenant or Tenants, Occupier or Occupiers of Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements, are and shall be liable to pay the Whole of such Rates, when no Composition shall have been made as aforesaid, to the Receiver or Receivers to be appointed by the said Commissioners, as herein is directed; and in case of such Payment, such Tenant or Tenants, Occupier or Occupiers, shall be at Liberty, and is and are hereby authorized to deduct and detain out of his, her, or their Rent, such Proportion of such Rates as he, she, or they, shall respectively pay, on account of the several Owner or Owners

Owners, Proprietor or Proprietors, of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements, and shall be hereby saved and kept harmless from any further Payment of any such Rate or Rates, to any Person or Persons to whom any such Rent or Rents should or ought to be paid.

Pavements liable to be repaired by any Parish, &c. are to be repaired at their Expence by the Commissioners Paviours;

And be it further enacted by the Authority aforesaid, That where any Part or Parts of the Pavement of the said Streets or other Places, hath or have been accustomed, or ought to be paved and repaired by any particular Parish or Parishes, Bodies Politic or Corporate, and not by the Owners or Occupiers of the Houses or other Buildings adjoining to the Pavement of the said Streets and Places respectively; the same shall be paved and repaired at the Expence of the respective Parish or Parishes, Bodies Politic or Corporate, by the Paviour or Paviours contracting with or employed by the said Commissioners.

Or the Commissioners may compound with such Parishes, &c. for the same.

Provided always, That it shall and may be lawful for the said Commissioners, or any Five or more of them, from time to time, to compound and agree for the same with any such Parish or Parishes, or Bodies Politic or Corporate, for a certain Sum of Money, by the Foot or other Measure, as the said Commissioners, or any Five or more of them, shall think reasonable.

All Publick Buildings, &c. to be rated by the square Yard.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, at their Discretion, and they are hereby required, from time to time, to rate and assess, for the Purposes of this Act, all Parish Churches, Church Yards, Chapels, Meeting Houses, Schools, Warehouses, Hospitals, Prisons, and all other public Buildings whatsoever, and all dead Walls, and void Spaces of Ground, situate and being within either of the said Streets and other Places, at a Rate to be settled by Five or more of the said Commissioners, not exceeding Six Pence for every square Yard belonging to every such Parish Church, Church Yard, Chapel, Meeting House, School, Warehouse, Hospital, Prison, and other public Buildings whatsoever, dead Wall, and void Space of Ground; the Rate or Rates, Assessment or Assessments, to be made and paid for such Parish Churches, Chapels, and Church Yards, to be paid by the respective Church or Chapel Wardens; and the Rate or Rates, Assessment or Assessments, to be made and paid for such Meeting Houses, Schools, Warehouses, dead Walls, and void Spaces of Ground, shall be paid by the Owner or Owners, Proprietor or Proprietors,

prietors, thereof; and the Rate or Rates, Assessment or Assessments, to be made and paid for such Hospitals, Prisons, and other public Buildings, shall be paid by such Person and Persons, Officer and Officers, as are now liable to pay for paving, cleansing, lighting, and watching, the said Streets, in respect of such Hospital, Prison, or other public Building respectively.

Occupiers quitting without paying Rates, may be followed.

And be it further enacted by the Authority aforesaid, That where any Person or Persons, who hath or have been rated and assessed by virtue of this Act, shall quit his, her, or their Dwelling-house, Warehouse, Shop, Vault, Cellar, or Tenement, whereupon such Rate or Assessment has been made, before he, she, or they, shall have paid the same, and shall afterwards refuse to pay the same when due, and demanded by the Person or Persons authorized and appointed to collect and receive the same; that then, and in every such Case, it shall and may be lawful to and for the said Receiver or Receivers, Collector or Collectors, and every or any of them, by Warrant under the Hands and Seals of any Two or more Justices of the Peace acting in and for the said Town and Places, which Warrant the said Justices are hereby authorized and required to grant, in any Place within the said Borough of Southwark, or County of Surrey; or, out of the Limits thereof (such Warrant being first backed or counter-signed by some Magistrate in the County, City, or Liberty, where the Distress is to be made) to distrain the Goods and Chattles of such Person or Persons so neglecting or refusing, and the same to sell, rendering the Overplus, if any such shall be, after deducting the reasonable Charges and Expences of such Distress and Sale, to the Owner of such Goods and Chattles demanding the same.

Persons paying this Rate, exempted.

And be it further enacted, That all and every Person or Persons paying the Rates and Assessments by this Act laid, within the said Streets and Places respectively, shall be, and they, and every of them, is and are hereby exempted and discharged from the Charge and Expence of paving, cleansing, lighting, or watching, the said Streets, and all other Streets and Places within their respective Parishes, wherein any Part of the said Streets, Courts, Yards, Lanes, Alleys, and other Places respectively, are situate; and also from all Penalties which may or might be incurred by reason or means of their neglecting to pave, cleanse, light, or watch, the same respectively; any Law, Statute, or Usage, to the contrary notwithstanding.

And

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And whereas Provision may have been formerly made by Acts of Parliament, either for paving, cleansing, lighting, watching, or keeping in Repair, the said Streets and other Places, or some Part or Parts thereof intended to be paved, cleansed, lighted, watched, and kept in Repair, by this Act; be it therefore enacted by the Authority aforesaid, That as soon as any Rate or Assessment shall be made, laid, or assessed, by virtue of this Act, on the Owners or Occupiers of any Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements; or on any Church or Chapel Wardens, for and on account of any Ground belonging to any Church, Church Yard, or Chapel; such Owners or Occupiers, and such Church or Chapel Wardens respectively, shall be no longer liable to be charged to any Rate or Assessment for and on account of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements; or for or on account of such Church, Church Yard, or Chapel, by virtue or in pursuance of such former Acts, or any of them. Former Rates to cease.

And, for the more effectually putting this Act in Execution, be it further enacted by the Authority aforesaid, That upon and after the First Sunday after the First General Meeting of the said Commissioners, there shall be paid to the Receiver or Receivers, Collector or Collectors, to be nominated and appointed by the said Commissioners, or any Seven or more of them, at a General Meeting assembled, before any Cattle or Carriage shall be permitted to pass on a Sunday through any or either of the Turnpikes here under-mentioned, or through any Turnpike to be erected, by virtue of this or any other Act or Acts of Parliament, near the same; videlicet, The Turnpike at Symond's Corner, in the Parish of Lambeth; or at any Gate or Gates, Turnpike or Turnpikes, to be erected between the said Place and the Stones End in Blackman Street; the Turnpike at Newington Butts; any Gate or Gates, Turnpike or Turnpikes, to be erected between the Road called The New Road, at the End of Kent Street, and Saint George's Church; any Gate or Gates, Turnpike or Turnpikes, to be erected at or near Starr Corner, in the Parish of Bermondsey; any Gate or Gates, Turnpike or Turnpikes, to be erected between a Place called Dock Head and Folly Bridge; the following Tolls; videlicet, Tolls on *Sundays*.

For every Coach, Chariot, Berlin, Chaise, Chair, Calash, or other Carriage, drawn by Six or more Horses, the Sum of Ten Pence.

For

&c. For every Coach, Chariot, Berlin, Chaise, Chair, Calash, or other Carriage, drawn by Four Horses, the Sum of Eight Pence.

For every Coach, Chariot, Berlin, Chaise, Chair, Calash, or other Carriage, drawn by Three or Two Horses, the Sum of Six Pence.

And for every Chaise, Chair, Calash, or other Carriage, drawn by One Horse, the Sum of Three Pence.

For every Horse, Mule, or Ass, not drawing, the Sum of One Penny.

Which said respective Sums of Money shall and may be demanded and taken in the Name of and for a Street Toll, over and above, and exclusive of, all other Tolls which are or shall be authorized to be taken and collected upon or on account of the said Roads, or any of them: And the said Commissioners, or any Five or more of them, are hereby impowered by themselves, or by any Person or Persons by them or any Five or more of them, thereto authorized at a General Meeting, to levy the Toll, hereby required to be paid, upon any Person or Persons who shall, after Demand thereof made, neglect or refuse to pay the same as aforesaid, or to deny or hinder any Passage through the said Turnpikes respectively, until Payment thereof; which said Toll shall and may be levied by Distress of any Horse or Horses, or other Cattle, upon which the Toll is by this Act imposed, or upon any of the Goods and Chattles of such Person or Persons who ought to pay the same; and all such Horses, Cattle, or Goods, may be detained until such Toll, with the reasonable Charges of such Distress, shall be paid: And it shall be lawful for the Person or Persons so distraining, after the Space of Four Days after such Distress made or taken, to sell the Horse or Horses, Cattle, Goods, or Chattles, so distrained, rendering to the Owner or Owners thereof the Overplus upon Demand, after Satisfaction of the said Toll, and the reasonable Charges in and about making such Distress, Keeping, and Sale, shall be fully paid and satisfied.

Tolls may be levied by Distress, &c.

Distress may be sold after 4 Days.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners, or any Five or more of them, at a General Meeting, if they shall think proper, at any Time or Times, to cause to be erected any Turnpike or Turnpikes, at or near the respective Places aforementioned, for the Purpose of collecting the several and respective Tolls hereby made payable; and also to be erected or provided a Toll-house at

Commissioners may erect Turnpikes and Toll-houses.

at or near each Turnpike; and, from time to time, to remove or alter the ſame, as they the ſaid Commiſſioners, or any Five or more of them, ſhall think expedient.

Turnpikes already erected, may be uſed for the Purpoſes of this Act.

Provided always, and be it further enacted and declared by the Authority aforeſaid, That it ſhall and may be lawful for the ſeveral and reſpective Receivers and Collectors, and other Perſons, to be appointed by virtue of this Act, to receive and collect the ſeveral Tolls hereby made payable; and they are hereby authorized and impowered, for the Purpoſes of this Act, without the Lett, Hindrance, or Moleſtation, of any Perſon or Perſons whatſoever, to make uſe of all or any the Gates, or Turnpikes, and Toll-houſes, already erected, or hereafter to be erected or continued by virtue of any Act or Acts of Parliament, at or near the reſpective Places whereat any Toll is hereby authorized to be taken; ſo as ſuch reſpective Receivers, Collectors, or other Perſons, do in no wiſe hinder or interrupt the tranſacting of any Buſineſs or Purpoſe, for which ſuch Turnpikes and Toll-houſes were reſpectively erected or provided.

Street Tolls to be paid but Once a Day.

Provided alſo, and be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall be liable to pay the ſaid Street Toll more than Once for paſſing or repaſſing, at any Time or Times, on the ſame Sunday as aforeſaid, with the ſame Cattle and Carriage; but that all and every Perſon and Perſons, after having paid ſuch Toll Once as aforeſaid, ſhall, during the Remainder of ſuch Day, paſs Toll-free, with reſpect to the ſaid Street Toll, with the ſame Cattle and Carriage, through the Gate or Turnpike at which any ſuch Toll was paid, upon producing a Note or Ticket denoting the Payment of ſuch Toll; which Notes or Tickets the Collectors of the ſaid Tolls are hereby required to give gratis on Receipt of ſuch Tolls.

Perſons having paid the *Weſtminſter Sunday* Toll, exempted from the *Southwark*, &c.

And whereas an Act was paſſed in the laſt Seſſion of Parliament, intituled, An Act for impowering the Commiſſioners for putting in Execution the ſeveral Acts paſſed for paving, cleanſing, and lighting, the Squares, Streets, and Lanes, within the City and Liberty of *Weſtminſter*, and Parts adjacent, to collect certain Tolls on *Sundays*, upon the ſeveral Roads therein mentioned, and apply the ſame for the Purpoſes of the ſaid Acts: And whereas a Street Toll is directed by the ſaid Act to be taken at the Turnpike neareſt to Weſtminſter Bridge, in the County of Surrey; be it therefore further enacted by the Authority aforeſaid,

said, That all Persons having paid the Toll granted by the said Act, at the said Turnpike nearest to Westminster Bridge, and producing a Ticket denoting the Payment thereof, shall be permitted, in the same Day, to pass and repass with the same Cattle and Carriage, through the Gate or Turnpike whereat any Toll shall be taken by virtue of this Act, at or near Symond's Corner, or between the said Place and the Stones End in Blackman Street, without paying any Toll authorized by this Act to be collected; and all Persons having paid the Toll by this Act granted, at any Gate at or near Symond's Corner aforesaid, or between that Place and the Stones End in Blackman Street aforesaid, and producing a Ticket denoting the Payment thereof, shall be permitted to pass and repass on the same Day, through any Gate or Turnpike near Westminster Bridge, without paying any Toll by the said above mentioned Act of last Session authorized to be collected; which Tickets the respective Collectors are hereby required to deliver, on Receipt of the Toll.

No Toll to be taken for going to or from *Black Fryars* Bridge.

Provided always, and it is hereby enacted and declared, That nothing in this Act contained, shall extend, or be construed to extend, to give the Commissioners for putting this Act in Execution, any Power to collect any Toll or Tolls upon any Carriage or Cattle passing to or from the Bridge now erecting across the River Thames, from Black Fryars, in the City of London, over or through any of the Roads made, or which shall be made, leading thereto; unless such Carriages or Cattle shall actually come into any of the Streets aforesaid, within the Powers of this Act.

Commissioners may lease the Tolls.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, at a General Meeting, may, and are hereby impowered, upon Ten Days Notice being given in the London Gazette, to lease or farm, by the Year, the Tolls by this Act granted, or any Part or Parts thereof, to any Person or Persons, at or for the largest yearly Sums that can be got for the same; provided that such Letings or Agreements be made in Writing, and signed by the Person or Persons taking or farming any such Tolls, and by the Commissioners that lett the same, and be not made for more than Three Years at a Time; and that the Money that shall be so agreed to be paid for the said Tolls, shall be made payable, and shall be paid, to the said Commissioners by quarterly Payments; and that the Person or Persons to whom the same shall be so lett, shall always pay down One Quarter's Pay in Advance;

vance; and if any Letting or Agreement for letting the said Tolls, or any Part or Parts thereof, shall be made, or any Default shall be made in paying the Money agreed to be paid, contrary to the true Meaning of this Act, then every such Letting and Agreement shall be void; and the Person or Persons to whom the said Tolls shall be lett, shall be liable to account for the same, and to have the same levied and recovered upon and of him and them, in the same Manner as is by this Act directed for the accounting for other Monies by the Collectors or Receivers thereof, and for the levying and recovering the same upon and of them.

Penalty on evading the Tolls.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall forcibly or wilfully go or pass with any Horse, Beast, or Carriage, through any Turnpike whereat any Toll is, by virtue of this Act, to be paid, without paying such Toll, or producing a Note or Ticket as aforesaid at such Turnpike, or shall forge, counterfeit, or alter, or shall deliver to, or receive from, any other Person or Persons, any Note or Ticket, with an Intent to avoid the Payment of any or either of the said Tolls, or any Part thereof; every Person so offending shall, for every such Offence, forfeit and pay the Sum of Forty Shillings, over and besides such Damages and Punishments as they and every of them respectively shall be liable to by Law; and it shall and may be lawful for the said Receivers or Collectors, and for every of them, and all other Persons by them required to assist in that Respect, to seize any Horse or Horses, Cattle, or Goods, belonging to, or in the Possession, or under the Care of, any Person or Persons so offending in the Premisses; and the same to take before any Justice of the Peace of the County or Place where such Offence or Offences shall be committed, and before him to make Complaint of such Offence or Offences; and such Justice may, and is hereby required to enquire into the same, as well by Examination of the Party or Parties, as by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby impowered to administer without Fee or Reward) and if the said Justice shall see Cause, to convict the Party or Parties complained of in the Penalty aforesaid; and for Nonpayment thereof, and of the Tolls that shall be due (though the same shall not be demanded) by Warrant under his Hand and Seal, to cause the said Horse or Horses, Cattle, or Goods, to be sold for Payment of the said Tolls and Penalties, and the Charges of seiz-

ing and keeping the same, and of such Sale, rendering the Overplus (if any there shall be) to the Owner or Owners of the said Horse or Horses, Cattle or Goods, or to the Person or Persons under whose Care, or in whose Possession, they respectively was or were when so seized as aforesaid; and if no such Seizure as aforesaid can or shall be made, then the aforesaid Penalty and Tolls shall be levied and recovered by such Means, and applied in such Manner, as is herein after made and provided for the Levying and Recovering, and Application of Penalties and Forfeitures.

Commissioners may borrow Money on Credit of the Tolls.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Nine or more of them, at a General Meeting, may, and are hereby impowered to borrow and take up at Interest, any Sum or Sums of Money upon the Credit of the Tolls, payable by virtue of this Act; and to assign over the same, or any Part or Parts thereof, by any Writing or Writings under their Hands and Seals, the Charges of such Assignments and Conveyances to be paid out of such Tolls respectively, to any Person or Persons that shall advance or lend their Monies thereon, as a Security or Securities for the several Sums that shall be borrowed, and the Interest thereof, as aforesaid; and Copies of all such Assignments and Conveyances shall be entered in a Book or Books to be kept for that Purpose, by the Clerk or Treasurer to the said Commissioners; and all and every Person and Persons, to whom any such Assignment shall be made as aforesaid, is and are hereby impowered from time to time, by Assignment under his, her, or their Hand or Hands, to be indorsed on the Back of his, her, or their Security, or by any other Writing or Writings under his, her, or their Hand and Seal, or Hands and Seals, which shall be executed in the Presence of Two or more credible Witnesses, to assign over or transfer his, her, or their Right, to the Principal and Interest-money thereby secured, to any Person or Persons whomsoever; all which Assignments or Transfers shall be produced and notified to the said Clerk or Treasurer, within Thirty Days after the Date thereof, who shall cause an Entry to be made of such Assignments, containing the Date, Names of the Parties, and Sums of Money therein mentioned to be assigned and transferred, in the said Book or Books to be kept for entering the said Original Assignments; and which said Book or Books shall and may, at all seasonable Times, be perused and inspected without any Fee or Reward; and after such Entry made, such Assignment or Transfer

Securities may be transferred.

shall

shall intitle such Assignee, his, her, and their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon; and such Assignee may in like Manner assign and transfer again, and so toties quoties; and it shall not be in the Power of any Person who shall have made such Assignment or Transfer, to make void, release, or discharge the same, or any Monies thereon due.

No Preference to be given in borrowing Money.

And be it further enacted by the Authority aforesaid, That no Preference shall be given to any Person or Persons advancing any Sum or Sums of Money upon the Credit of this Act, in respect to the Priority of advancing such Sum or Sums; but that all Persons, to whom any Mortgages or Assignments shall be made as aforesaid, shall, in Proportion to the Sum or Sums therein mentioned, be Creditors in equal Degree one with another.

Monies raised, vested in the Commissioners, to be applied for the Purposes of this Act.

And be it further enacted by the Authority aforesaid, That all Monies raised or collected by virtue of this Act, as and upon Account or Credit of the said Tolls, shall be, and the same are hereby vested in the said Commissioners at Large or in General; and the Money to be raised by all other Means under the Authority of this Act shall be, and the same are hereby vested in the said Commissioners within the respective Divisions where such Monies shall arise; and all Monies raised or collected by virtue of this Act, shall be applied for the Purposes of this Act, and to and for no other Use or Purpose whatsoever.

Tolls may be apportioned.

Provided always, and be it further enacted by the Authority aforesaid, That Two Third Parts of the Money arising by the said Tolls, and of the Money to be borrowed upon the Credit thereof, shall be applied towards paving the several Streets and other Carriage Ways within the Western Division; and the remaining One Third Part, shall be applied towards paving the several Streets and other Carriage Ways within the Eastern Division; but if at any Time, when the Pavement of the several Streets, and other Places hereby directed to be paved within either of the said Divisions, shall be compleated, and there shall remain any Overplus of the said Monies appropriated to that Division, the same shall be paid over to the Commissioners having the Care of the other Division, if the Pavements of the Streets and other Places within such last mentioned Division, are not compleated, to be applied towards compleating the Pavement of the Streets and other Places hereby directed to be paved within such Division.

Expences of passing this Act, to be first paid.

Provided always, and be it further enacted by the Authority aforesaid, That the Charges and Expences of procuring and passing this Act, shall be paid out of the first Monies which shall be raised by virtue of this Act.

Balance of Money in Hand, at Receiver's Death, to be paid by his Executors, &c.

And be it further enacted by the Authority aforesaid, That if any Receiver or Receivers shall happen to die before he or they shall have fully paid and satisfied all the Money by him or them received by virtue of this Act; then, and in every such Case, the Executors or Administrators, Executrix or Administratrix, or other legal Representative or Representatives, or Person or Persons possessing the late Estate and Effects of every such Receiver or Receivers, shall, out of such Estate or Effects, pay the Treasurer or Treasurers for the time being under this Act, all such Sums of Money by such Receiver or Receivers so received, and not paid, or so much thereof as the said Estate or Effects will extend to pay; and the Receipt of Five or more of the said Commissioners shall be a good Discharge for such Money; and every Executor or Administrator, or other Person as aforesaid, may, to any Action or Suit commenced or brought against him, her, or them, plead or give in Evidence the Payment of the same, and shall be allowed Payment of the same out of such Estate or Effects: And in case of Nonpayment of the same, by the Space of Twenty one Days after the same shall be demanded, it shall and may be lawful to and for the said Treasurer or Treasurers for the time being, and he or they is and are hereby directed and required, in his or their own Name or Names, to commence and bring One or more Action or Actions in any of His Majesty's Courts of Record at Westminster, against such Executors or Administrators, or other Person or Persons as aforesaid, for the Recovery of the same.

Penalties may be mitigated.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, from time to time, to compound and agree with any Person or Persons against whom the said Commissioners, or any Five or more of them, shall bring, or cause to be brought, any Action or Actions, Suit or Suits, for any Penalty or Penalties contained in any Contract or Contracts already entered into, or hereafter to be entered into, on account of any Breach or Nonperformance of any such Contract or Contracts, for such Sum or Sums of Money as they, or any Five or more of them, shall think proper; and also to mitigate, compound, or lessen, any other the Forfeitures incurred under this Act; so as the Sum so compounded and agreed for be not less than the Injury

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or Damage sustained by the Breach or Nonperformance of such Contract or Contracts, and all the Costs, Charges, and Expences, which shall be occasioned thereby; and so as the Mitigation of the other Forfeitures as aforesaid do not extend to remit above One Moiety of the said Forfeitures respectively.

Persons aggrieved may appeal to the Quarter Sessions.

Provided always, and be it further enacted by the Authority aforesaid, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace, at any General Quarter Sessions of the Peace to be held for the County or Place wherein the Cause of Complaint shall arise; and within Three Calendar Months after the Cause of such Complaint shall have arisen, such Appellant first giving or causing to be given Twenty one Days Notice at the least in Writing of his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk or Treasurer to the said Commissioners; and, within Two Days after such Notice, entering into Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties, conditioned to try such Appeal at, and abide the Order of, and to pay such Costs as shall be awarded by, the Justices at such Quarter Sessions: And the said Justices, at such Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matter of such Appeal in a summary Way, and award such Costs to the Parties appealing, or appealed against, as they the said Justices shall think proper; and the Determination of such Quarter Sessions shall be final, binding, and conclusive, to all Intents and Purposes.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act imposed, (the Manner of levying and recovering whereof is not hereby otherwise particularly directed) shall be levied and recovered by Distress and Sale of the Offenders Goods and Chattles, by Warrant under the Hand and Seal of One Justice of the Peace, acting in and for the said Town and Places; which Warrant such Justice is hereby impowered and required to grant, upon the Confession of the Party or Parties, or upon the Information of any One or more credible Witness or Witnesses, upon Oath (which Oath such Justice is hereby impowered to administer) and the Penalties and Forfeitures, when recovered, after rendering the Overplus (if

any

any be) upon Demand, to the Party or Parties whose Goods and Chattles shall be so distrained and sold, (the Charges of such Distress and Sale being first deducted) shall be paid to the Treasurer to the said Commissioners for the time being, and be applied towards the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such 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, nor less than Fourteen Days, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied.

Commissioners may reward Informers.

Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, from time to time, if they shall see Cause, to pay and apply such Part of the said Penalties and Forfeitures, or any of them, as they shall think proper, not exceeding One Moiety of them, or any of them, to and for the Use of the Informer or Informers, or any of them; any thing herein contained to the contrary notwithstanding.

Commissioners to defray their own Expences.

And be it further enacted by the Authority aforesaid, That the said Commissioners, shall, at all their Meetings under this Act, pay and defray their own Expences.

Distress not to be deemed unlawful for want of Form;

And be it further enacted by the Authority aforesaid, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Default or Want of Form in any Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers ab initio, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the Special Damage in an Action on the Case.

nor the Party distraining to be deemed a Trespasser *ab initio*.

Plaintiff not to recover if Tender of Amends hath been made.

Provided always, That no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed, or caused to be committed, any such

such Irregularity, Trespass, or wrongful Proceedings, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit; whereupon such Proceedings, or Orders, and Judgements, shall be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Writings to be without Stamps.

And be it further enacted by the Authority aforesaid, That no Nomination, Contract, Bond, Warrant, Judgement, or other Writing whatsoever, under the Hand and Seal, or Hands and Seals, of, or only signed by, any Commissioner or Commissioners, or Justice or Justices of the Peace, or exhibited before them, or under the Hand and Seal, or Hands and Seals, of, or only signed by, any other Person or Persons whatsoever, relating to the Execution of this Act, shall be chargeable with any Stamp Duty whatsoever.

Proceedings to be entered in a Book.

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

Books may be read in Evidence.

Proceedings not to be quashed for want of Form;

And be it further enacted by the Authority aforesaid, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or other Matter or Thing to be done or transacted, in or relating to the Execution of this Act, shall be vacated or quashed for want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever into any of His Majesty's Courts of Record at Westminster; any Law or Statute to the contrary notwithstanding.

nor removeable by *Certiorari*.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, until Twenty one Days Notice shall be thereof given in Writing to the Clerk or Treasurer to the said Commissioners, or after sufficient Satisfaction or

Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed, for which such Action or Actions, Suit or Suits, shall be so brought; and every such Action shall be brought, laid, and tried, in the County or Place where such Matters and Things respectively shall be committed or done, and not in any other County or Place; and the Defendant or Defendants in such Actions and Suits, and every of them, may plead the General Issue, and give this Act, and the Special Matter, in Evidence at any Trial or Trials which shall be had thereupon; and that the Matter or Thing for which such Action or Actions, Suit or Suits, shall be so brought, was done in pursuance and by the Authority of this Act: And if the said Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before Twenty one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid; or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid; then the Jury or Juries shall find for the Defendant or Defendants therein: And if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs, in such Action or Actions, Suit or Suits, shall become nonsuited, or suffer a Discontinuance of such Action or Actions; or if, upon any Demurrer or Demurrers in such Action or Actions, Judgement shall be given for the Defendant or Defendants therein; then, and in either of the Cases aforesaid, such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs, in any other Cases by Law.

General Issue.

Treble Costs.

Publick Act. And be it further enacted by the Authority aforesaid, That this Act shall be taken and allowed in all Courts of Justice as a Publick Act; and all Judges, Justices, and others, are hereby required to take Notice thereof as such, without the same being specially pleaded.

FINIS.