Anno ſexto

Georgii III. Regis.

CAP. XXVI.

An Act for the better paving, cleanſing, and enlightening, the City of *London*, and the Liberties thereof; and for preventing Obſtructions and Annoyances within the ſame; and for other Purpoſes therein mentioned.



WHEREAS the ſeveral Streets, Lanes, Squares, Yards, Courts, Alleys, Paſſages, and Places, within the City of London, and Liberties thereof, are in general ill paved and cleanſed, and not duly enlightened; and are alſo greatly obſtructed by Poſts, and annoyed by Signs, Spouts, and Gutters, projecting into and over the ſame; whereby, and by ſundry other Encroachments and Annoyances, they are rendered incommodious, and, in ſome Parts, dangerous, not only to the Inhabitants, but to all others paſſing through the ſame, or reſorting thereto: And whereas by an Act of Parliament paſſed in the Twenty ſecond and Twenty third Years of the Reign of the late King Charles

Preamble, reciting Acts

22 & 23 *Car.* II.

Charles the Second, intituled, An Act for the better paving and cleansing the Streets and Sewers in and about the City of *London*, the sole Power and Authority of ordering, designing, and regulating, the cleansing, and keeping clean, of all the Streets, Lanes, and Passages, within the said City and Liberties, and the pitching and paving, with the Order and Manner thereof, were vested in the Mayor, Commonalty, and Citizens, of the said City, to be managed, executed, and done, by such Persons as the Mayor, Aldermen, and Commons, of the said City, in Common Council assembled, should thereunto authorize and appoint, or by any Seven or more of them (being all Members of the said Court) and in such Sort and Manner, as from time to time should by them be found most convenient for the public Benefit of the Inhabitants: And whereas by another Act passed in
2 *W. & M.* the Second Year of the Reign of Their late Majesties King William and Queen Mary, certain Powers were given, and Provisions made, touching the paving and cleansing the said Streets, and the preventing of Nuisances or Obstructions within the same: And whereas
10 *Geo.* II. by another Act passed in the Tenth Year of the Reign of His late Majesty King George the Second, further Powers were given touching the paving and cleansing the said Streets, and for erecting Posts within the
33 *Geo.* II. same: And whereas by another Act passed in the Thirty third Year of the Reign of His said late Majesty King George the Second, certain Powers were given to the Justices of the said City, touching the repairing and relaying such Pavements in the said City as should be damaged by the breaking up of the same, to amend or relay any Water Pipes: And whereas the good Intentions of the said last mentioned Act have been wholly frustrated, by the ill repairing the frequent Breaches made in the said Pavements by the several Water Companies: And whereas, notwithstanding the Directions of the said Acts, the Inhabitants of the said City and Liberties have, for many Years last past, taken upon themselves the paving and repairing the Pavements of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, by reason whereof the same have been, and are, paved in a very irregular and improper Manner: And whereas the Pavements of the said City and Liberties cannot be improved, and kept in good and decent Order, and free from Nuisances and Obstructions, unless some further Provisions be made by Authority of Parliament for that Purpose: And whereas
and 17 *Geo.* II. by another Act of Parliament passed in the Seventeenth Year

Year of the Reign of his late Majeſty King George the Second, intituled, An Act for making effectual Proviſion for enlightening the Streets of the City of *London*, certain Rates are directed to be aſſeſſed and levied, in Manner therein mentioned, for defraying the yearly Charges of erecting, lighting, ſupplying, and maintaining, ſuch a convenient and ſufficient Number of Glaſs Lamps, within the ſaid City and Liberties, as the Mayor, Aldermen, and Commons, of the ſaid City, in Common Council aſſembled, ſhould think proper: And whereas ſeveral of the Powers, granted by the ſaid laſt recited Act, have been found defective: And whereas the paving, cleanſing, and enlightening, the ſaid City and Liberties, might be executed with more Advantage to the Public, if the ſeveral Powers and Authorities relative thereto, were committed to the ſame, inſtead of different Perſons: May it pleaſe your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, the ſole Power and Authority of pitching, paving, cleanſing, and enlightening, the Streets, Lanes, Squares, Yards, Courts, Alleys, Paſſages, and Places, within the ſaid City of London, and Liberties thereof, ſhall be, and the ſame is hereby, veſted in the Mayor and Commonalty and Citizens, of the ſaid City, to be executed by ſuch Perſons as the Mayor, Aldermen, and Commons, of the ſaid City, in Common Council aſſembled, ſhall, from time to time, by virtue and in purſuance of the ſaid Act of the Twenty ſecond and Twenty third Years of the Reign of King Charles the Second, authorize and appoint to be Commiſſioners of the Sewers for the ſaid City and Liberties, or by any Seven or more of them; which ſaid Perſons ſo to be, from time to time, authorized and appointed Commiſſioners of the Sewers for the ſaid City and Liberties, ſhall be, and they are hereby, conſtituted Commiſſioners for carrying this Act into Execution.

Power of paving, &c. veſted in Mayor and Commonalty of *London*.

Provided always, and it is hereby further enacted, That the Recorder and Common Serjeant of the ſaid City of London, for the time being, ſhall be, and they are hereby conſtituted and appointed Two of the Commiſſioners for carrying this Act into Execution,

Recorder and Common Serjeant ſhall be Commiſſioners.

Provided always, and it is hereby further enacted and declared, That all the Powers and Authorities by this Act granted to, or veſted in, the ſaid Commiſſioners

Commiſſioners to be a Quorum.

ers hereby constituted as aforesaid, shall and may, from time to time, be exercised by the major Part of such of them as shall attend at any public Meeting of the said Commissioners, to be holden as herein after mentioned; the Number of the said Commissioners present at such public Meeting not being less than Seven; and all Acts, Orders, and Proceedings, of the major Part of the said Commissioners present at such public Meeting, shall have the same Force and Effect as if done or made by all the Commissioners constituted by this Act.

Commissioners to meet on or before 24 *June*, 1766.

And it is hereby further declared and enacted, That the first public Meeting of the said Commissioners, shall be at such Time and Place as the Mayor of the said City shall think proper to order and appoint: And the said Mayor is hereby directed to order and appoint such first public Meeting to be held on or before the Twenty fourth Day of June, One thousand seven hundred and sixty six, and to cause the said Commissioners to be summoned to attend the same.

Power to adjourn,

And it is hereby further enacted and declared, That it shall and may be lawful to and for the major Part of the said Commissioners present at such First public Meeting, or at any subsequent public Meeting, of the said Commissioners (the Number so attending not being less than Three) to adjourn such public Meeting to any future Day and Time, and to any Place within the said City and Liberties.

on Notice.

Provided always, That every Commissioner shall have Notice to attend at such adjourned public Meeting, by the usual Summons from the Clerk to the said Commissioners.

Mayor may appoint Special Meetings.

Provided also, and it is hereby further enacted and declared, That it shall and may be lawful to and for the Mayor of the said City for the time being, from time to time, to appoint a public Meeting of the said Commissioners, at any Time and Place he shall judge proper, for the Execution of this Act, notwithstanding any Adjournment or Non-adjournment of the said Commissioners; and shall cause the said Commissioners to be summoned to attend the same.

Commissioners to appoint Clerks, &c.

And it is hereby further enacted, That the said Commissioners shall and may, from time to time, at any of their said public Meetings, elect and appoint One or more Clerk or Clerks, and One or more Surveyor or Surveyors, and also such and so many other Officers as they shall find necessary for the due Execution of this Act (Fourteen Days Notice, of their Intention to proceed to such Election or Appointment, having been first printed

printed and published in Two or more of the daily News Papers, and Notice thereof being also expressed in the Summons for such public Meeting) and the said Commissioners shall take such Security as they shall think proper, for the due Execution of such respective Offices; and shall and may, from time to time, remove any of the said Officers at their Will and Pleasure, and appoint others in the Room of such as shall die, or be removed as aforesaid: And the said Commissioners shall and may, out of the Monies arising or to arise by virtue of this Act, appoint and pay such Salaries, Gratuities, and Allowances, as they shall judge reasonable, to such Officers, and to all such other Persons as shall have been, or shall be, employed in, or aiding and assisting about, the Execution of this Act.

Penalty on Exactions of Clerks, &c.

And it is hereby further enacted, That if any Clerk, Surveyor, or other Officer, or Servant, who shall be employed by the said Commissioners in the Execution of this Act, or any Part thereof, shall exact, demand, take, or accept, any Fee, Gratuity, or Reward whatsoever (other than such Salaries, Allowances, and Rewards, as shall be appointed, allowed, and approved of, by the said Commissioners) for or on account of any Thing done, or to be done, by virtue of this Act; or for forbearing to do any Thing hereby, or by the said Commissioners, directed to be done, or on any Account whatsoever, relative to the Execution or Non-execution of this Act; or shall any way be concerned in Interest, in any Bargain made or to be made by the said Commissioners, for any of the Purposes intended by this Act; every Person so offending, shall from thenceforth for ever be incapable of being employed under this Act; and shall, over and above, 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 at Westminster, or within the said City, by Action of Debt, Bill, Plaint, or Information, to be commenced within Six Calendar Months next after the Offence committed; in which Action or Suit, no Protection, Essoin, or Wager of Law, or more than One Imparlance, shall be allowed.

Proceedings to be entered in Books.

And it is hereby further enacted, That all the Acts, Orders, and Proceedings, of the said Commissioners, at their said public Meetings, from time to time, shall be entered in a Book or Books to be kept for that Purpose by the said Commissioners, and shall be signed by their Clerk for the time being; and such Entries shall be deemed and taken to be the original Orders and Proceed-

Proceedings of the said Commissioners, and such Book or Books shall and may be produced and read in Evidence in all Courts whatsoever.

Non-freemen may be employed.

And it is hereby further enacted, That the said Commissioners may, and they are hereby authorized and impowered, from time to time, to employ under them any fit Person or Persons, whether free of the said City or not, in or about the paving, repairing, keeping in repair, and cleansing, all or any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, within the said City and Liberties; and in and about the enlightening of the same; and in and about the several Works hereby directed to be performed; and to contract for the Performance of the said Works, or any of them, with any Person or Persons whatsoever, in such Manner as the said Commissioners shall think fit: And that no Person or Persons who shall be so employed or contracted with, nor any Person or Persons to be set to work by and under them, or any of them, shall, for any Act done, or to be done, in or about any of the Works aforesaid, be subject or liable to any Action, Indictment, or Information, upon the Statute made in the Fifth Year of Queen Elizabeth, intituled, An Act containing divers Orders for Artificers, Labourers, Servants of Husbandry, and Apprentices; or be liable to be sued for any Breach of the Custom of London, or for any Penalties inflicted by any Bye-law of the said City.

Notice to be given of Contracts.

Provided always, That, previous to the making of any such Contract, Notice shall be given in some of the Daily News Papers, that the said Commissioners do intend to make such Contract, and that all Persons willing to engage therein may make Proposals to the said Commissioners, at a certain Time and Place in every such Notice to be specified; and all Contracts made, or to be made, in consequence of such Notice, shall specify the several Works to be done, and the Price or Prices to be paid for the same, and the Time or Times when the said Works are to be compleated, together with the Penalties to be incurred in case of the Non-performance thereof; and the same shall be signed by the Clerk, for the time being, of the said Commissioners, as also by the Person or Persons contracting to perform such Works respectively, and shall be entered in a Book or Books to be kept for that Purpose by the said Commissioners.

Provided

Provided also, and it is hereby further enacted, That no Person, being a Member of the Court of Common Council of the said City, shall be directly or indirectly interested or concerned in any Contract, which shall be made or entered into by, or on Behalf of, the said Commissioners, for or concerning any of the said Works to be carried on or performed in pursuance of this Act, or for or concerning any Materials to be used or employed therein, upon Pain that every such Contract shall be null and void; and that the Person, who being a Member of the said Court, and shall be so interested or concerned therein, shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds, to any Person or Persons who shall sue for the same; to be recovered in any of His Majesty's Courts of Record at Westminster, by Action of Debt, Bill, Plaint, or Information, to be commenced within Six Calendar Months next after the Offence committed; in which Action or Suit respectively no Protection, Essoin, or Wager of Law, or more than One Imparlance, shall be allowed; and every Person, against whom the said Penalty shall be recovered, shall, for ever thereafter, be disabled from being elected a Member of the said Court of Common Council. No Common Council Man shall be concerned in any Contract.

And it is hereby further enacted, That the said Commissioners may cause all or any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, to be new paved or repaired when, and as often, and in such Manner, and with such Materials, as the said Commissioners shall think fit; and for such Purposes may, from time to time, cause to be dug, carted, and carried, out of, or brought into, the same, or any of them, such Gravel, Stones, and other Materials, as they shall judge necessary; and may likewise cause the Ground thereof to be raised or lowered, the Course of the Channels, running in or through the same, to be turned or altered, and the Water Pipes, which now lie, or hereafter shall be laid, under Ground, to be taken up, and new laid in such Places, Manner, and Form, as they the said Commissioners shall judge best; and may cause such Posts, as they shall think useless or inconvenient, to be taken up and removed; and likewise all Steps, Bulks, Shew Glasses, and Shew Boards, encroaching upon the Footways; as also all Steps and Doors, opening or leading from the Footways into Vaults or Cellars, to be removed or altered. General Powers.

What Streets shall be first paved.

And be it further enacted by the Authority aforesaid, That the said Commissioners shall, and they are hereby required, in the First Place, to pave and enlighten the great Streets from Temple Bar to Whitechapel Bars, such Streets 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.

A Passage for Carriages to be open on the North Side of St. *Paul's*, whilst the South Side is repairing.

And it is hereby further enacted, That the Bar across the Carriage Way on the North Side of the Cathedral Church of Saint Paul, in the said City of London, and now belonging to the Dean and Chapter of the said Cathedral Church, shall be kept open for the free Passage of all Horses, Coaches, Carts, and other Carriages whatsoever, during all such Time as the new Pavement shall be carrying on and making on the South and East Sides of the same Church in pursuance of this Act; and that, when and as soon as such new Pavement shall be compleated and made passable, it shall be lawful for the said Dean and Chapter, and their Successors, to shut the said Bar, and at all Times then after to keep the same shut, and the said Carriage Way stopt, in like Manner as the same now is and usually hath been kept shut and stopped; any thing in this Act contained to the contrary in any wise notwithstanding.

Power for regulating Signs, &c.

And it is hereby further enacted, That the said Commissioners shall and may cause all Signs, or other Emblems, used to denote the Trade, Occupation, or Calling of any Person or Persons, Sign Posts, Sign Irons, Penthouses, Shew Boards, Spouts, and Gutters, projecting into any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, and all other Encroachments, Projections, and Annoyances whatsoever, within the said City or Liberties, to be taken down and removed; and shall cause all Signs, or other Emblems, as aforesaid, Shew Boards, and Gutters, or such Parts thereof as they shall think fit, to be affixed or placed on the Fronts of the Houses, Shops, Warehouses, or Buildings, whereunto they respectively belong, or were before affixed, and not otherwise; and shall return, or cause to be returned, to the respective Owners, so much of such Signs, or other Emblems, Sign Posts, or other Posts, Sign Irons, Shew Boards, Spouts, and Gutters, as shall not be affixed or put up, or otherwise made use of in the Alterations directed by this Act; and that for the future all Signs, Sign Boards, and Gutters, shall be placed or fixed on the Fronts of the Houses, Shops, Warehouses, or Buildings,

Buildings, to which 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 other Post, Sign Iron, Penthouse, Shew Board, Spout, Gutter, or other Projection, Obstruction, or Annoyance, or cause the same to be done contrary to the Directions aforesaid, every Person so offending shall, for every such Offence, forfeit and pay the Sum of Five Pounds, and the further Sum of Twenty Shillings for every Day such Offence shall continue.

Cranes shall be kept close to the Walls of Warehouses.

Provided always, and it is hereby further enacted, That it shall and may be lawful to and for any Person or Persons, to keep any Crane or Cranes already fixed up against any Warehouse or Warehouses, within the said City or Liberties thereof, or to affix any Crane or Cranes to such Warehouse or Warehouses, and to make use of such Crane or Cranes, so as such Crane or Cranes be turned and kept close to the Walls of such Warehouse or Warehouses, when not in actual Use; any thing in this Act, or any former Law, Custom, or Statute, to the contrary thereof in any wise notwithstanding.

No Waggon shall stand in the Streets above One Hour.

And, for the more speedy Removal of sundry Nuisances and Obstructions in the said City and Liberties, it is hereby further enacted, That if after the said Twenty fourth Day of June, One thousand seven hundred and sixty six, any Common Stage Waggon, shall, for the Purpose of loading or unloading the same, or any Part thereof, be suffered to stand or continue in any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages or Places, above the Space of One Hour at any One Time; or if any Cart, Waggon, Dray, or other Carriage, shall be placed and suffered to stand athwart or across any such Street, Lane, Square, Yard, Court, Alley, Passage, or Place, for the loading or unloading thereof, or for any other Purpose whatsoever; or if any such Cart, Waggon, Dray, or other Carriage, shall be suffered to stand, or continue in any Part of any such Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, longer than is necessary for the loading or unloading thereof; or if any Goods, Materials, or Things whatsoever, shall be laid or placed, and left in any such Street, Lane, Square, Yard, Court, Alley, Passage, or Place, so as to obstruct the free Passage thereof; then, and in every such Case, any One of the Commissioners, or any One of their Officers, to be by them appointed to remove Nuisances, shall and may seize, or cause to be seized, the Stage Waggon,

Cart, Waggon, Dray, or other Carriage, so placed, or suffered to stand or continue, contrary to the true Meaning of this Act, together with the Horse or Horses thereunto belonging, or the Goods, Materials, or Things, so laid or placed, and left as aforesaid; and remove the same, or cause the same to be removed, to the common Pound of the said City, commonly called The Greenyard, there to be kept and detained, until the Owner or Owners thereof, or his, her, or their known Servant or Servants, shall and do claim the same, and pay to the Person or Persons in whose Custody the same shall then be, the Sum of Twenty Shillings, together with the Charges of removing and keeping the same: And in case the same shall not be claimed, and the said Sum of Twenty Shillings and Charges paid, within the Space of Three Days next after such Seizure, it shall and may be lawful to and for the said Commissioners, to cause the same to be appraised and sold, and the Monies arising therefrom shall be applied to the Purposes of this Act.

Clause to prevent unnecessary Erections,

And it is hereby further enacted, That if any Person or Persons whatsoever, shall erect or build, or cause to be erected or built, any Posts, Bars, Rails, Boards, or other Thing, by way of Enclosure for the Purpose of making Mortar, or depositing Bricks, Lime, or other Materials for building or repairing any Houses, Buildings, or other Works, within the said City or Liberties, in any other Manner, or shall suffer the same to remain for any longer Time, than shall be necessary for such Building or Repairs, and Complaint thereof shall be made to the said Commissioners, by any Two Housholders of the said City or Liberties, and the said Commissioners shall upon View, or other due Proof of the Matter of the said Complaint, find the same to be true; then, and in every such Case, it shall and may be lawful to and for the said Commissioners to cause such Enclosure or Erection to be pulled down and removed, and the Materials thereof to be deposited in the Greenyard aforesaid; there to be kept and detained until the Owner or Owners thereof, or his, her, or their known Servant or Servants, shall and do pay, to the Person or Persons in whose Custody the same shall be, the Charges of pulling down and removing the same; and in case the same shall not be claimed, and the said Charges paid within the Space of Eight Days next after such Seizure thereof, it shall and may be lawful to and for the said Commissioners, to order the same to be appraised and sold, and

and the Money arising therefrom shall be applied to the Purposes of this Act.

and slaking Lime in the Streets.

And it is hereby further enacted, That no Person or Persons whatsoever shall slake Lime in the Foot Way or Carriage Way of any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, or in any House or Houses within the same; upon Pain that every Person so offending, shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

Lime may be slaked on vacant Sites.

Provided always, That where any House or Houses shall be totally pulled down in order to be rebuilt, it shall be lawful to slake the Lime and make the Mortar necessary for such rebuilding, within the Premisses so to be rebuilt.

Penalty on driving Barrows, &c. on the Foot Pavement.

And be it further enacted, That if any Person or Persons shall, for the future, carry, run, drive, draw, or cause to be carried, run, driven, or drawn, on any of the Foot Pavements, within the said City or Liberties, any Bier, or any Wheel or Wheels, Sledge, Wheelbarrow, or other Carriage whatsoever, or shall wilfully ride, lead, or drive, any Horse, Coach, or other Carriage whatsoever, upon any Part of the said Foot Pavements; then, and in any of the said Cases, and so often as they or any of them shall happen, it shall and may be lawful to and for any Person or Persons whatsoever, who shall see any such Offence committed, to seize, and also for any other Person or Persons to assist in seizing, such Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey or deliver him, her, or them, into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace of the said City; and the Party or Parties accused being brought before him, such Justice shall proceed to examine, upon Oath, any Witness or Witnesses, who shall appear or be produced to give Information touching such Offence (which Oath the said Justice is hereby authorized and required to administer) and if the Party or Parties accused shall be convicted of any such Offence, either by his, her, or their own Confession, or upon such Information as aforesaid, he, she, or they, so convicted, shall forfeit and pay the Sum of Ten Shillings for the First Time of offending; the Sum of Twenty Shillings for the Second Time of offending; and the Sum of Forty Shillings for the Third, and every other Time of offending.

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

And it is hereby further enacted, That the said Commissioners shall and may cause to be painted, engraved, or described, in Stone, or otherwise, and to be affixed in a conspicuous Part of One or more House or Houses,

Building or Buildings, at or near each End, Corner, or Entrance, of each of the ſaid Streets, Lanes, Squares, Yards, Courts, Alleys, Paſſages, or Places, the Name by which each reſpective Street, Lane, Square, Yard, Court, Alley, Paſſage, or Place, is properly or uſually called or known; and may alſo cauſe every Houſe, Shop, or Warehouſe, in each of the ſaid Streets, Lanes, Squares, Yards, Courts, Alleys, Paſſages, and Places, to be marked or numbered, in ſuch Manner as they ſhall judge moſt proper for diſtinguiſhing the ſame: And if any Perſon or Perſons ſhall wilfully and maliciouſly deſtroy, pull down, obliterate, or deface, any ſuch Names, Deſcriptions, Marks, or Numbers, or any Part thereof, or cauſe or procure the ſame to be done; every Perſon ſo offending, ſhall, for every ſuch Offence, forfeit and pay the Sum of Forty Shillings.

Form of the Pavement not to be altered

And it is hereby further enacted, That no Perſon or Perſons ſhall, without Authority from the ſaid Commiſſioners, alter, or cauſe to be altered, the Form of the Pavement of the ſaid Streets, Lanes, Squares, Yards, Courts, Alleys, Paſſages, and Places, which ſhall be new paved or repaired by the ſaid Commiſſioners, or in any Way incroach thereon; upon Pain that every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of Five Pounds, over and above the Expence of relaying and reinſtating the ſame, according to the Directions of the ſaid Commiſſioners; the ſaid Forfeitures and Expences to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record, in the Name of the ſaid Mayor, and Commonalty, and Citizens, of the ſaid City of London, to be commenced within Six Calendar Months next after the Commiſſion of ſuch Offence; in which Action or Suit, no Protection, Eſſoin, or Wager of Law, or more than One Imparlance, ſhall be allowed.

Pavements to be repaired on Complaint.

And it is hereby further enacted, That after the Expiration of Twelve Calendar Months next after the paſſing of this Act, if any Two Houſekeepers within the ſaid City and Liberties ſhall make Complaint in Writing, under their Hands, to the ſaid Commiſſioners, of any Defect or Want of Repair in any of the Pavements of any of the ſaid Streets, Lanes, Squares, Yards, Courts, Alleys, Paſſages, or Places, either before or after the ſame ſhall have been new paved or repaired by virtue of this Act; then, and in every ſuch Caſe, the ſaid Commiſſioners ſhall forthwith cauſe the Pavement ſo complained of, to be inſpected by their Surveyor;

Surveyor; and if the same shall, by him, be found defective, and so reported to be, to the said Commissioners, upon Oath (which Oath the said Commissioners are hereby impowered to administer, unless such Defect shall appear to arise from a Defect in some Water Pipes lying under such Pavement) they the said Commissioners shall forthwith give Orders to their Contractor or Contractors, Paviour or Paviours, to repair the same: And if the Contractor or Paviour of the said Commissioners, to whom such Order shall be given, shall not, within Four Days next after the Receipt thereof, repair the said defective Pavement; then, and in every such Case, the said Contractor or Paviour shall forfeit and pay the Sum of Twenty Shillings for every Day that the said defective Pavement shall remain unrepaired after the Expiration of the said Four Days.

Method prescribed for taking up Pavements when the Water Pipes are broken.

And it is hereby further enacted, That when and so often as any Pipe or Pipes, belonging to any of the Water Companies, who furnish any Part of the said City and Liberties with Water, and which now lie, or shall hereafter be laid, under Ground, in any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, shall happen to break, burst, or decay, so as to require Repairation, the Surveyor of the said Commissioners for the time being, or such other Person or Persons as the said Commissioners shall appoint for that Purpose, shall forthwith give, or cause to be given, Notice thereof in Writing, to the Paviour of the Water Company to whom he apprehends the said Pipe or Pipes to belong, who is hereby required to take up the said Pavement, and open the Ground at or near the Place where such Repairation shall appear to be wanting: And if the said Paviour shall, upon taking up such Pavement, and opening such Ground, discover that the Pipe or Pipes so broken, burst, or decayed, does not, or do not, belong to the Water Company whose Paviour he is; then, and in every such Case, he shall forthwith give, or cause to be given, Notice thereof in Writing, to the Paviour of the Company to whom the said Pipe or Pipes shall appear to belong; in which Case such last mentioned Paviour is hereby required, upon Demand, to make Satisfaction for the taking up such Pavement, and opening such Ground, to the Paviour giving Notice as aforesaid; and the Paviour of such Water Company to whom the said Pipe or Pipes shall belong, is hereby required to cause or procure the said Pipe or Pipes to be repaired, and afterwards to fill up the said Ground within Four Days

Days next after such Notice to him given; and as soon as such Pipe shall have been so repaired, and the Ground so filled up, he shall give, or cause to be given, Notice thereof in Writing, to the Paviour or Contractor for the time being of the said Commissioners: And if the Paviour of any of the said Water Companies, to or for whom such Notice shall be given or left at his last Place of Abode, shall, by the Space of Four Days next after the giving or leaving such Notice as aforesaid, refuse or neglect to take up such Pavement, and open such Ground; or if, upon discovering that the Pipe or Pipes so broken, burst, or decayed, doth not, or do not, belong to the Company whose Paviour he is, he shall refuse or neglect to give immediate Notice thereof in Writing to the Paviour of the Company to whom the said Pipe or Pipes doth or do belong; or if the Paviour of the Water Company to whom such Pipe or Pipes shall belong, shall, by the Space of Four Days next after such Notice given to him, or left at his last Place of Abode, refuse or neglect to cause or procure such Pipe or Pipes to be amended and repaired, or afterwards, to fill up the Ground so taken up, or to give such immediate Notice of his having so done, to the Paviour or Contractor of the said Commissioners for the time being; then, and in every such Case, the Person or Persons so respectively refusing or neglecting shall, for every such Offence, severally forfeit and pay the Sum of Five Pounds: And if any Pipe or Pipes, not belonging to any of the Water Companies, shall happen to break, burst, or decay, as aforesaid, in any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places; then, and in every such Case, the respective Owner or Owners thereof shall forthwith cause the Ground over the same to be opened, and such Pipe or Pipes to be repaired, and Notice thereof in Writing to be given to the Clerk, for the time being, of the said Commissioners; or, in case of Refusal or Neglect so to do, shall, for every such Offence, forfeit and pay the Sum of Forty Shillings: And if any Pavement shall be broken or taken up, for the Purpose of making, repairing, or altering, any Vault or Drain, or for any other Purpose whatsoever; then, and in every such Case, the Person or Persons so breaking or taking up the said Pavement, or causing the same to be so broken or taken up, shall, as soon as the Nature of the Work will permit, cause the Ground to be filled up, and Notice thereof in Writing to be given to the Clerk, for the time being, of the said Commissioners; or in case of Refusal or Neglect

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so to do, shall, for every such Offence, forfeit and pay the Sum of Forty Shillings: And the said Clerk of the said Commissioners shall forthwith, upon every such Notice, as aforesaid, given to him, or left at his last Place of Abode, transmit such Notice, or cause the same to be transmitted to the Paviour or Contractor of the said Commissioners for the time being; and if the said Clerk shall refuse or neglect, by the Space of Two Days next after any such Notice as aforesaid given to him, or left at his last Place of Abode, to transmit such Notice, or to cause such Notice to be transmitted to the said Paviour or Contractor for the time being of the said Commissioners; or if such Paviour or Contractor, to whom any such Notice as aforesaid, shall be so transmitted, shall by the Space of Two Days next after the transmitting of such Notice to him as aforesaid, refuse or neglect to relay and repair the Pavement so broken up; then, and in every such Case, the Person so refusing or neglecting, shall forfeit and pay the Sum of Twenty Shillings, for every Day such Pavement shall continue unrelayed or unrepaired, after the Expiration of the said Two Days.

Paviours of the Water Companies to give Notice of their Names, &c.

And it is hereby further enacted, That the several and respective Paviours now employed, or hereafter to be employed, by the said Water Companies respectively, within the said City or Liberties thereof, shall, within the Space of Thirty Days next after the passing of this Act, or within Three Days next after they shall be respectively appointed Paviours to such Company or Companies, give Notice in Writing to the Clerk for the time being of the said Commissioners, of their respective Names and Places of Abode, and of the Name of the respective Company whose Paviours they are, and of the respective District to which they are appointed: And in like Manner, the Clerk for the time being of the said Commissioners shall, within the respective Times aforesaid, give Notice to the respective Paviours of the said several Water Companies, of the Names and Places of Abode of the Paviour or Paviours, Contractor or Contractors, for the time being, of the said Commissioners; and if any of the said Paviours, or the Clerk of the said Commissioners for the time being, shall neglect to give such Notices within the respective Times aforesaid, each of them shall, for every such Offence, severally forfeit and pay the Sum of Twenty Shillings.

Water Companies to pay the Expence of new laying Pavement, when the Pipes are broken, &c.

Provided always, and it is hereby further enacted and declared, That the Charges and Expences of relaying the Pavement, which shall be broken or taken up for the

Purposes of repairing or amending any such Pipe or Pipes, shall be reimbursed and paid to the said Commissioners, or to such Person as they shall appoint to receive the same, by the Clerk or Treasurer for the time being of the respective Water Companies to whom such Pipe or Pipes shall belong; or if the same shall not belong to any of the said Water Companies, then by the respective Owner or Owners thereof; and the Charges and Expences of relaying the Pavement which shall be broken or taken up for the Purposes of new making, repairing, altering, cleansing, or emptying, any Sewer, Drain, or Vault, or of making any new or additional Grates, or of repairing and altering any old Grates, shall be defrayed and paid by and out of some Rate or Rates, to be made or assessed by virtue or in pursuance of the said Act of the Twenty second and Twenty third Years of the Reign of King Charles the Second; or by the Person or Persons who shall take up the said Pavement, or any Part thereof, or cause the same to be taken up for any of the Purposes aforesaid: And if such Clerk or Treasurer to any of the said Water Companies, or the respective Owner or Owners of such Pipe or Pipes, liable to reimburse and pay such Charges and Expences, shall refuse or neglect to pay the same within Ten Days next after Demand thereof in Writing, signed by the Clerk of the said Commissioners, and left at their respective Dwelling-houses, or last Places of Abode, together with a Bill to be annexed to such Demand, containing an Account of such Charges and Expences; then, and in every such Case, the Money so expended shall and may be recovered by the said Commissioners, of and from the Person or Persons so liable thereto, by Action or Actions of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, in the Name of the Mayor, and Commonalty, and Citizens, of the said City of London, to be commenced within Three Calendar Months next after such Demand respectively; in which Action or Suit, no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Expence of Alterations in the Pipes how to be defrayed.

Provided nevertheless, and it is hereby further enacted, That if at any Time it shall be found necessary for the Purposes of new paving, or altering the Pavement of any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, to raise, sink, or any otherwise alter, the Position of any of the Pipes or Plugs, laid down or placed by any of the said Water Companies, or by any other Person or Persons whatsoever,

ever, the Charges attending the same shall be paid out of the Monies arising or to arise by virtue of this Act.

And, for the more easily obtaining of Water in Cases of Fire, it is hereby further enacted, That the several Water Companies, who shall supply any of the Inhabitants of the said City with Water, shall from time to time give Notice in Writing to the said Commissioners, of the Names and Places of Abode of their respective Turncocks, distinguishing the Districts to which they respectively belong; and the said Commissioners shall yearly cause to be printed and distributed through every Ward within the said City and Liberties, to and amongst the several Householders within the same, a List of the Names and Places of Abode of the several Turncocks of the District or Districts within which every such Ward respectively shall lie. Lists of the Turncocks to be delivered to Housholders.

And it is hereby further enacted, That the said Commissioners shall have full Power and Authority to cause the said Streets to be watered as often as they shall think fit; and also to cause any Well or Wells to be dug and sunk in such Places as they shall think proper; and also any Pump or Pumps, to be erected in or near such Places; and also any Pumps now standing for the Purpose of watering the said Streets, or for any other Purpose, to be removed or altered; and to defray the Expences thereof out of the Monies to be raised by virtue of, and for the Purposes of this Act. Streets may be watered; and Pumps,

And, for the more effectually cleansing, and keeping clean, the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners to cause any Number of moveable or fixed Dust Bores, Dust Holes, or Conveniencies, wherein Dust and Ashes, or other Filth, may be deposited for the Scavengers or Rakers, to be erected and placed in such Parts of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, as they shall judge necessary; and all and every the Occupier and Occupiers of Houses or Tenements, within the said City and Liberties, are hereby required, daily and every Day, to cause all their Dust, Ashes, and other Filth, to be deposited in the said Dust Bores, Dust Holes, or other Conveniencies, or else to keep the same in their respective Houses or Tenements, with the Appurtenances, until the same shall be removed and carried away by the respective Rakers, to be in this Behalf appointed; and in case any such Occupier of any House or Tenement, within the said City and Dust Holes, erected.

or

or Liberties, shall deposit, or cause to be deposited, any Ashes, Dust, or other Filth, in any Part of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, except in some of the Dust Holes, Dust Boxes, or other Conveniencies, so to be erected or made as aforesaid; then the Person so offending shall, for every such Offence, forfeit and pay the Sum of Ten Shillings.

Foot Ways to be cleaned daily.

And it is hereby further enacted, That every Occupier of any House or Tenement within the said City and Liberties, and (in respect of Houses lett to Inmates) every House Owner, shall, Once in every Day, scrape, sweep, and cleanse, the Foot Way all along the Front of their respective Houses or Tenements, or cause the same to be scraped, swept, and cleansed; and, in Default thereof, shall, for every such Offence, forfeit and pay the Sum of Two Shillings.

Lamps, &c. may be set up.

And, for the better enlightening the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, it is hereby further enacted, That it shall and may be lawful to and for the said Commissioners, from time to time, to cause such and so many Lamps to be set up in such Places within the said City, and the Liberties thereof, and to be placed in such Manner, and at such Distances, as they shall judge necessary; and the said Commissioners shall order and direct at what Time the Lights within the same shall be lighted, and how long they shall continue lighted; and shall, from time to time, give such other Orders and Directions in the Premisses, as they shall think needful, for the well and sufficient enlightening the said City, and the Liberties thereof.

Penalty on wilfully,

And it is hereby further enacted, That if any Person or Persons shall wilfully take away, break, or throw down, or damage, any Lamp that now is, or hereafter shall be, set up for enlightening any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, or wilfully extinguish the Light or Lights within the same, or damage the Irons or other Furniture thereof; it shall and may be lawful to and for any Person or Persons whatsoever, who shall see such Offence committed, to seize, as also for any other Person or Persons to assist in seizing 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 of the said City; and such Justice shall proceed to examine, upon Oath, any Witness or Witnesses, who

who shall appear or be produced to give Information touching such Offence (which Oath the said Justice is hereby authorized and required to administer) 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 forfeit and pay the Sum of Twenty Shillings for each Lamp so broken, thrown down, or damaged, or for every Light so extinguished as aforesaid; and, moreover, shall make full Satisfaction to the said Commissioners, or to such Person as they shall appoint to receive the same, for the Damage so by him, her, or them done as aforesaid; and in case such Offender or Offenders shall not, on Conviction, pay such Forfeiture, and make such Satisfaction as aforesaid, such Justice is hereby required to commit him, her, or them, to the Bridewell of the said City, there to be kept to hard Labour, for any Space of Time not exceeding One Calendar Month; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they, shall be so committed, unless such Forfeiture and Satisfaction shall be sooner paid and given.

And it is hereby further enacted, That in case any Person or Persons shall carelessly or accidentally break, throw down, or damage, any of the said Lamps, so set up, or hereafter to be set up, as aforesaid, or the Irons, or other Furniture thereof, and shall not immediately, upon Demand, make Satisfaction for the Damage done thereto; then, and in every such Case, it shall and may be lawful to and for any One Justice of the Peace of the said City, upon Complaint to him or them made by One or more credible Person or Persons, to summon before them the Party or Parties who shall be complained of for doing such Damage as aforesaid; and, upon hearing the Allegations and Proofs on both Sides, or upon the Non-appearance of the Party or Parties so complained of and summoned, to award such Sum or Sums of Money, by way of Satisfaction for such Damage, as such Justice shall think reasonable; and in case of Neglect or Refusal of the said Party or Parties to pay such Sum or Sums of Money so awarded, within Three Days after Demand thereof, to cause the same to be levied by Distress and Sale of his, her, or their Goods or Chattles, the Surplus (if any) arising by such Sale, to be paid to him, her, or them.

or accidentally, breaking or damaging Lamps, &c.

Property of Pavements, &c. vest'd in the Mayor, &c.

And it is hereby further enacted by the Authority aforesaid, That the Property of the Pavements, which, at the Time of passing this Act, or at any Time or Times thereafter, shall be within the said City or Liberties, and all Materials and Things used or to be used in or about the making or repairing thereof, shall be, and the same are hereby vested in the said Mayor and Commonalty, and Citizens, of the said City; and the said Commissioners are hereby authorized and impowered to bring, or cause to be brought, any Action or Actions, in the Name of the said Mayor, and Commonalty, and Citizens, or to prefer, or order 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: And if any Person or Persons shall wilfully or maliciously destroy, or otherwise damage or spoil, any of the said Materials or Things, or any of the Works done in pursuance of this Act, or any Part or Parts thereof; every Person or Persons so offending therein, and being thereof convicted, by the Oath or Oaths of One or more credible Witness or Witnesses, before any Justice of the Peace, shall, for every such Offence respectively, forfeit and pay the Sum of Twenty Shillings for the first Time of offending; and the Sum of Forty Shillings for the Second and every other Time of offending.

Commissioners to direct the placing of private Lamps.

And be it further enacted by the Authority aforesaid, That all Lamps which shall be put out by any Person or Persons, at his or their own private Expence, shall, from and after the Commencement of this Act, be placed in such Manner as the said Commissioners, appointed to put this Act in Execution, shall direct.

Rates to be collected half-yearly,

And whereas it would be very convenient to the Inhabitants of the said City and Liberties, if the Rates and Assessments, necessary for paving, cleansing, and enlightening, the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, and for preventing Annoyances therein, were consolidated and made One joint and general Fund, to be collected together; be it enacted by the Authority aforesaid, That from and after the Twenty ninth Day of September, One thousand seven hundred and sixty six, One or more Rate or Rates, Assessment or Assessments, shall, Twice in every Year, or oftener, as the said Commissioners shall, from time to time, think fit to order, be made, laid, and assessed, in the several Wards of the said City, by the Aldermen, or their Deputies respectively, and the major Part of the Common Council Men of each Ward, upon all

all and every Perſon and Perſons who do or ſhall inhabit, hold, occupy, poſſeſs, or enjoy, any Land, Houſe, Shop, Warehouſe, Cellar, Vault, or other Tenement, within the ſaid ſeveral Wards, and who, by the Laws now in being, are liable to be, and, from time to time, ſhall be actually rated towards the Relief of the Poor in the reſpective Pariſhes where he, ſhe, or they, ſhall reſpectively live or reſide, for raiſing ſuch competent Sum and Sums of Money as the ſaid Commiſſioners ſhall, from time to time, judge needful and direct; ſo as ſuch Rates or Aſſeſſments do not in any One Year exceed, in the Whole, the Sum of One Shilling and Six Pence in the Pound of the yearly Rents of ſuch of the ſaid Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements or Hereditaments reſpectively, as ſhall be ſituate in any Street, Lane, Square, Yard, Court, Alley, Paſſage, or Place, actually begun to be new paved by virtue and in purſuance of this Act; and One Shilling in the Pound of the yearly Rents of ſuch of the Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, Tenements, or Hereditaments reſpectively, as ſhall not be ſo ſituate; ſuch Rates reſpectively to be from time to time aſcertained by the Rates at which ſuch reſpective Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, or Hereditaments, ſhall be, from time to time, aſſeſſed towards the Land Tax.

and not to exceed 1 *s.* 6 *d.*

and 1 *s.* in the Pound.

And whereas ſeveral Manufactures, Trades, Occupations, and Callings, neceſſarily take up and require great Room, by reaſon whereof, the Perſons concerned therein are obliged to pay large Rents, and it may be a great and intolerable Hardſhip upon ſuch Perſons to be rated to the full Extent of their reſpective Rents, towards the Purpoſes of this Act; and whereas it may be reaſonable to excuſe ſome Perſons from the Payment of the aforeſaid Rates and Aſſeſſments, in the Whole or in Part, on account of their Poverty: For Relief therefore, in ſuch Caſes, it is hereby further enacted and declared, That in any of the Caſes aforeſaid, any Perſon or Perſons may apply to the ſaid Commiſſioners, by Petition in Writing, ſetting forth the Circumſtances of his, her, or their Caſe, giving Notice to the Alderman of the Ward wherein ſuch Rate or Aſſeſſment ſhall have been made, or his Deputy; and ſuch Petition ſhall be taken into Conſideration by the ſaid Commiſſioners, at their next public Meeting, of which the Alderman of the Ward, or his Deputy, ſhall have eſpecial Notice; and if it ſhall then appear to the ſaid Commiſſioners,

upon hearing the said Petitioner or Petitioners, that the said Petitioner or Petitioners is or are intitled to Relief; it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and impowered, to award to the said Petitioner or Petitioners such Relief as they the said Commissioners shall think just and reasonable.

Relief for Owners of large Warehouses, &c.

Appeal may be made.

Provided always, That if the Alderman, or his Deputy, or the major Part of the Common Council Men of such Ward, shall think such Award unjust or unreasonable, or if the Party or Parties concerned shall think him or herself, or themselves, aggrieved by such Award; it shall and may be lawful to and for any of them to appeal from such Award to the Court of Mayor and Aldermen of the said City, who shall finally determine whether the said Petitioner or Petitioners is or are intitled to any and what Relief in the Premisses.

Power to examine Poors Rates, and Land Tax Books.

And, in order to ascertain the Rates and Assessments to be made by virtue of this Act, be it further enacted by the Authority aforesaid, That the several Aldermen of the said City, or their respective Deputies, shall and may, and they are hereby authorized and impowered, to cause any of the Books of Assessment of the Land Tax, within their respective Wards, and also any of the Books of Assessment of the Rates towards the Relief of the Poor, within the respective Parishes of the same Wards, to be brought before them, and to take Copies of such Books, or any Part thereof, as they shall think fit, without Fee or Reward: And if any Person or Persons, in whose Custody or Power any of the said Books shall be, shall refuse or neglect to attend the said Aldermen, or their Deputies, with such Book or Books, or to permit them to take Copies thereof as aforesaid; then, and in every such Case, every Person who shall so refuse or neglect, shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

Duplicates of the Rates to be made, &c.

And it is hereby further enacted, That the Alderman, or his Deputy, and the major Part of the Common Council Men for the time being, in each Ward within the said City or Liberties, are hereby required to set down in Writing, and sign Two Duplicates of the Rates and Assessments, which they shall, from time to time, make by virtue of this Act for the Purposes aforesaid, in which shall be expressed the Names of the Collectors who shall be appointed to collect the same; One of which Duplicates shall, within Ten Days next after the making thereof, be deposited, by the Beadle of the said Ward, in the Office of the Chamberlain of the said

said City of London, where the same shall remain; and every Citizen of London, liable to be rated by virtue of this Act, shall and may have free Access thereto at all convenient Times, and be permitted to inspect the same without Fee or Reward.

And, to the End that the said several Rates and Assessments may be fully and compleatly raised and paid for the Purposes aforesaid, it is hereby further enacted, That it shall and may be lawful to and for the Alderman, or his Deputy, with the major Part of the Common Council Men of each Ward, at the Court of Wardmote to be holden upon or near the Feast Day of Saint Thomas the Apostle for the Choice of Ward Officers, to return to the said Wardmote the Names and Places of Abode of a competent Number of substantial Inhabitants of such Ward; of whom so many as the said Alderman, or his Deputy, and the major Part of the said Common Council Men, shall think fit and direct, not exceeding Half the Number of Persons so returned, shall be chosen and appointed, at the said Wardmote to be Collectors of the Rates and Assessments, which shall be made in pursuance of this Act, for One whole Year, from the said Feast Day of Saint Thomas the Apostle to the same Feast Day then next following, and so yearly, and from Year to Year: And the said Collectors for the time being are hereby authorized and required, in the respective Wards for which they shall be so chosen Collectors, to collect and receive, from time to time, such Rates, Assessments, and Sums of Money, as shall be due and payable by virtue of this Act, of and from all Persons liable to pay the same; and all Persons who by virtue of this Act shall be charged therewith, or be liable thereunto, are hereby required to pay such Rates or Assessments unto such respective Collectors for the time being accordingly; such Collectors, from time to time, giving Receipts for the same gratis, if thereunto required, and which they are hereby enjoined to do upon Request: And every such Collector, who shall be chosen by virtue of this Act, shall, at the Wardmote at which he shall be so chosen as aforesaid, or within the Space of Twenty Days then next ensuing, before the Alderman of the Ward for which he shall be so chosen Collector, or his Deputy, take and subscribe the following Oath; or, being One of the People called Quakers, make and subscribe the following solemn Affirmation, for the true and faithful Execution of the said Office.

Collectors to be chosen annually.

Their Oath. I *A. B.* do swear (or solemnly affirm) that I will, according to the best of my Skill and Knowledge, well and truly perform and execute the Office of a Collector, within the Ward of according to the Directions and true Intent of an Act made in the Sixth Year of the Reign of His Majesty King *George* the Third, intituled, *An Act for the better paving, cleansing, and enlightening the City of* London, *and the Liberties thereof, and for preventing Obstructions and Annoyances within the same, and for other Purposes therein mentioned.*

Which Oath, or Affirmation, shall be administered, without Fee or Reward, by the Alderman of each respective Ward for the time being, or his Deputy: And if any Collector, chosen in pursuance of this Act, shall refuse or neglect to take the said Oath, or (being One of the Persons called Quakers) to make the said Affirmation, or to take upon himself the said Office, or, after having taken upon himself the said Office, shall refuse or neglect to serve and execute the same, according to the true Intent and Meaning of this Act; he shall, for every such Refusal or Neglect, forfeit and pay the Sum of Fifty Pounds; and shall, nevertheless, continue liable to be chosen into the said Office again the Year following, or at any other Time; and shall be liable to the like Penalty, so often as he shall thereupon refuse or neglect to take upon him and duly to execute the same.

50 *l.* Penalty on refusing to serve.

In case of Death, or such Refusal, the Alderman may appoint others, under like Penalty.

And it is hereby further enacted, That when and as often as any Person shall refuse or neglect to take upon him the said Office, or to execute the same, when chosen, or shall die, or remove out of the Ward, in and for which he shall be so chosen and appointed, before he has finished his Collection, then, and in every or any such Case, it shall and may be lawful to and for the Alderman of such Ward for the time being, or his Deputy, with the major Part of the Common Council Men of the said Ward, by Appointment under their Hands and Seals, to nominate and appoint some other fit and proper Person within such Ward, to collect the said Rates therein, or such Sum and Sums of Money as shall remain due and unpaid thereof; and if such other Person so appointed shall refuse or neglect to take and subscribe the said Oath (or being One of the Persons called Quakers to make the said Affirmation) or to serve and execute the said Office, then, and in every such last mentioned Case, every Person so refusing or neglecting, shall be liable to

the

the like Penalty of Fifty Pounds, as if he had been chosen into the said Office at the Wardmote as aforesaid.

Provided always, and it is hereby further enacted, That nothing in this Act contained, shall extend or be construed to oblige any Person or Persons to serve the said Office of Collector, who, by the Laws now in being, is or are exempted from serving any Ward Office. Persons exempted.

And whereas many Houses in several of the Wards of the said City, are, by the several Landlords or Owners thereof, lett out in Lodgings or Tenements to divers Tenants, whereby it will be difficult to rate or assess the said Tenants in respect of such Houses, or to recover such Rates and Assessments when made; for Remedy thereof, be it enacted, That from and after the said Twenty ninth Day of September, One thousand seven hundred and sixty six, it shall and may be lawful to and for the Alderman of each respective Ward, or his Deputy, with the major Part of the Common Council Men of the said Ward, from time to time to rate and assess, in every such Rate and Assessment as aforesaid, the Owner or Owners of all such Houses or Tenements as shall be so lett to, or occupied by, Two or more Tenants, which Rate or Assessment shall be paid by the Occupier or Occupiers of any Part or Parts of such Houses or Tenements; and such Occupier or Occupiers of such Houses or Tenements, is and are hereby authorized and required to pay such Sum and Sums of Money as shall be so rated or assessed upon the Owner or Owners thereof, being duly demanded of such Occupier or Occupiers, and to deduct the same out of his, her, or their respective Rents; and the Landlord, or Owner or Owners of such Houses or Tenements is and are hereby required to allow such Deductions and Payments, upon the Receipt of the Residue of his, her, or their Rents; and every such Occupier paying such Assessment or Assessments, shall be acquitted and discharged for so much of his or her Rent, as the said Assessment or Assessments so paid by him or her shall amount unto, as if the same had been actually paid to the Person or Persons to whom his or her Rent shall be due and payable; and in Default of Payment of the said Rate or Rates, Assessment or Assessments, the same shall be and remain a Charge upon the said Premisses, and shall and may be recovered of and from the Landlord or Landlords, Owner or Owners thereof respectively, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, or within the said City, to be commenced and prosecuted by such Collector or Collectors; in which Inmates to pay the Rates, and deduct the same out of their Rents.

which Action or Suit, no Protection, Essoin, or Wager of Law, or more than One Imparlance shall be allowed.

Public Buildings, &c. may be rated at 4 *d. per* square Yard;

And for as much as it is reasonable, that all publick Buildings (Hospitals excepted) and all dead Walls and void Spaces of Ground, should be rated and assessed in a due Proportion, towards the Paving, Cleansing, and Enlightening the said City, and the Liberties thereof; it is hereby further enacted, That it shall and may be lawful to and for the Alderman of each Ward within the said City and Liberties, or his Deputy, with the major Part of his Common Council Men, at his and their Discretions, and they are hereby required at such Times as the Rates and Assessments hereby directed to be made shall, from time to time, be made, to rate and assess, towards the Purposes of this Act, all Parish Churches, Church Yards, Chapels, and other publick Buildings whatsoever, not charged to the Land Tax, and all void Spaces of Ground, situate, lying and being within their Ward (other than and except the Cathedral Church of Saint Paul in London, and the Church Yards and Ground within the Iron Rails encompassing the said Cathedral Church) at such Rate as the said Alderman, or his Deputy, with the major Part of his Common Council Men, shall judge reasonable for every square Yard of such Churches, Church Yards, Chapels, and publick Buildings, and void Spaces of Ground, not exceeding the Rate of Four Pence per square Yard;

and dead Wall's at 6 *d. per* Yard running Measure.

and also to rate and assess all dead Walls within their Wards, towards the Purposes aforesaid, at such Rate as the said Alderman, or his Deputy, with the major Part of his Common Council Men, shall judge reasonable, for every Yard, running Measure, of such dead Walls, not exceeding the Rate of Six Pence per Yard; and such Rate or Rates, Assessment or Assessments, so to be, from time to time, made upon any Parish Church, Church Yard, or Chapel, to be paid by their respective Church or Chapel Wardens.

St. *Paul's* Church, &c. how to be rated.

And whereas the Pavement lying between the Fence of the Church Yard belonging to the Cathedral Church of Saint Paul, in the said City of London, and the Channels of the several Streets and Ways adjoining to and surrounding the said Church, contains Two thousand two hundred and forty square Yards; and the Charge and Expence of repairing, cleansing, and enlightening the same, is now paid out of the Interest and yearly Produce of the Surplus Money of certain Duties on Coal, granted by divers Acts of Parliament, and vested

in the Lord Archbiſhop of Canterbury, Lord Biſhop of London, and Lord Mayor of the City of London, for the time being; be it hereby further enacted, That it ſhall be lawful to and for the Alderman of Caſtle Baynard Ward, or his Deputy, with the major Part of his Common Council Men, at his or their Diſcretions, and they are hereby required, when, and at ſuch Times as the Rates and Aſſeſſments hereby directed to be made, ſhall, from time to time, be made, to rate and aſſeſs the ſaid Cathedral Church towards the Purpoſes of this Act, at ſuch Rate as the ſaid Alderman or his Deputy, with the major Part of his Common Council Men, ſhall judge reaſonable, not exceeding the Rate of One Shilling and Three Pence by the Year for every ſquare Yard of the ſaid Pavement now kept in Repair out of the Intereſt of ſuch Truſt Monies as aforeſaid; and that ſuch Rates or Aſſeſſments ſo to be from time to time made on the ſaid Cathedral Church as aforeſaid, ſhall be paid by the Lord Archbiſhop of Canterbury, Lord Biſhop of London, and Lord Mayor of the ſaid City of London, for the time being, out of the Intereſt and Produce of the ſaid Surplus Money ſo veſted in them upon the Truſts and for the Purpoſes aforeſaid.

Wharfs, &c. not to pay more than Two Thirds of the Rates.

Provided always, and it is hereby further enacted, That no Perſon or Perſons ſhall, in reſpect of any Wharf, or of any Warehouſe, Vault, or Cellar, upon any Wharf, be rated or aſſeſſed, or be liable to pay, more than Two Thirds of the Rates or Aſſeſſments herein before directed to be rated and aſſeſſed on Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, and other Tenements, within the ſeveral Wards of the ſaid City of London; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

How Meeting-houſes, &c. ſhall be rated.

And whereas ſeveral Meeting-houſes within the ſaid City and Liberties are uninhabited and unoccupied, except at and during the Times of Publick Worſhip, whereby it will be difficult to rate and aſſeſs the ſame towards the Purpoſes of this Act, and to recover the Rate and Aſſeſſment thereon when made; for Remedy thereof, it is hereby further enacted and declared, That the Rate or Rates, Aſſeſſment or Aſſeſſments, ſo to be, from time to time, made upon any Meeting-houſe within the ſaid City or Liberties, ſhall and may be demanded of the Miniſter and Deacons, or other Perſon uſually officiating therein; and ſuch Miniſter and Deacons, or other Perſon, is and are hereby required to pay the ſame, upon Demand, to the Collector or Collectors of the ſaid Rates and Aſſeſſments for the time being, by whom the

same shall be so demanded: And if such Minister, Deacon, or other Person, of whom such Rate or Rates, Assessment or Assessments, shall be so demanded, shall refuse or neglect to pay the same, upon such Demand; then, and in every such Case, such Rate or Rates, Assessment or Assessments, shall and may be recovered of and from the Person or Persons so required to pay the same, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, or within the said City; to be commenced and prosecuted in the Name or Names of the Collector or Collectors who shall have so demanded the same; in which Action or Suit no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed: And in Default of Payment of such Rate or Rates, Assessment or Assessments, the same shall be and remain a Charge upon such Meeting-house, and be paid by the Landlord or Owner thereof respectively; and such Rate or Rates, Assessment or Assessments, so to be, from time to time, made upon any publick Buildings, not being an Hospital, or upon any dead Wall or void Space of Ground, shall be paid by the respective Owner or Owners, Proprietor or Proprietors thereof: And in case the Owner or Owners, Proprietor or Proprietors, of any such void Space of Ground shall not be known, or cannot be found; then the said Rate or Rates, Assessment or Assessments, to be thereon made, shall be advanced by the Chamberlain of the City of London for the time being out of the Cash of the said City in his Hands; and the said Ground shall be and remain a Security to the said Chamberlain and his Successors, for Repayment of all Rates so to be by him advanced.

Unoccupied Houses, &c. how to be rated.

And it is hereby further enacted, That if it shall happen that any of the Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements, within the said City and Liberties, shall, at the Time of making any of the said Rates or Assessments, be empty, untenanted, or unoccupied; then, and in every such Case, it shall and may be lawful to and for the Alderman of the Ward where such Premisses shall lie, or his Deputy, with the major Part of the Common Council Men of the said Ward, to rate and assess the said Premisses; and in such Case, as well as, in case the said Premisses shall, after the making of such Rate or Rates, Assessment or Assessments, become empty, untenanted, or unoccupied, One Half of such Rate or Assessment shall be a Charge on such Premisses respectively, and be paid by the First Tenant or Occupier thereof, who shall and may, and

and is hereby authorized, to deduct and detain the same out of his or her Rent; and the Landlord, or Owner or Owners, of such Premises, is and are hereby required to allow such Deduction and Payment, upon the Receipt of the Residue of his, her, or their respective Rents; and the said Tenant or Occupier shall be, and is hereby, acquitted and discharged of and for so much of his or her Rent, as the Rate or Assessment so paid by him or her shall amount unto.

Collector to distrain in case of Non-payment.

And it is hereby further enacted and declared, That if any Person or Persons, who shall be rated or assessed by virtue or in pursuance of this Act, shall, by the Space of Ten Days next after his, her, or their respective Rate or Rates, Assessment or Assessments, shall be due, and demanded by the Collector or Collectors authorized and appointed to collect and receive the same (such Demand being either personally made to the respective Person or Persons so charged, or left in Writing at his, her, or their respective House or Houses, or Place or Places of Abode) then, and in every such Case, it shall and may be lawful to and for such Collector or Collectors, every or any of them, having a Warrant or Warrants under the Hand and Seal of any Justice of the Peace of the said City (which Warrant or Warrants the said Collector and Collectors is and are hereby required to apply for, and the Justice so applied to, is hereby authorized and required to grant) and, with the Assistance of a Constable, or other Peace Officer of the Ward, County, City, or Liberty, where the Person or Persons so refusing or neglecting shall reside, to enter his, her, or their House or Houses, Apartment or Apartments, and then and there to distrain his, her, or their Goods and Chattles; and if the same shall not be replevied, or such Rate or Assessment paid, within Five Days next after such Distress made, together with the Costs and Charges thereof, then to appraise and sell so much and such Part of the said Goods and Chattles as shall be sufficient to pay the said Rate or Assessment, with the Costs and Charges attending such Distress and Sale, returning the Overplus (if any) to the Owner or Owners of such Goods or Chattles (the said Costs and Charges to be settled and allowed by the Justice who shall have granted such Warrant or Warrants respectively.)

If Distress followed, Warrant to be backed.

Provided always, That no such Distress shall, by virtue of this Act, be made out of the Limits of the said City and Liberties thereof, unless such Warrant or

Warrants

Warrants respectively shall be first backed or counter-signed by some Magistrate of the County, City, or Liberty, where such Distress is proposed to be made; which Warrant or Warrants any Magistrate, who shall be applied to for that Purpose, shall forthwith back or counter-sign, without Fee or Reward.

Penalty on Neglect of granting, or executing, such Warrants.

And it is hereby further enacted, That if any such Collector or Collectors shall refuse or neglect to apply for such Warrant or Warrants as aforesaid, or to make such Distress and Sale pursuant to the Directions of this Act, except in Cases where such Distress shall be dispensed with by the Alderman, or his Deputy, and the major Part of the Common Council Men of each respective Ward, by Writing under their Hands, in respect of the Poverty of the Party or Parties assessed, such Collector or Collectors shall, for every such Refusal or Neglect, forfeit and pay the Sum of Five Pounds: And if any Justice of the said City, upon such Application to him made for such Warrant or Warrants as aforesaid, shall refuse or neglect to grant the same, such Justice shall, for every such Refusal or Neglect, forfeit and pay the Sum of Five Pounds: And if any Constable, being called upon by any Collector or Collectors, having such Warrant or Warrants, shall refuse or neglect to aid and assist him or them in making such Distress and Sale, he shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

Agreement betwixt Landlord and Tenant, not vacated.

Provided always, and it is hereby further enacted, That nothing in this Act contained shall be deemed or taken to make void any Contract, Covenant, or Agreement, between Landlord and Tenant, touching or concerning the Paving, Cleansing, or Enlightening, any, or any Part of any, of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, within the said City and Liberties; but that every such Landlord who is now, by virtue of any such Contract or Agreement, obliged to pave, keep in repair, cleanse, or enlighten, any Part thereof, shall, in lieu thereof, pay or allow unto his, her, or their respective Tenant or Tenants, the Rate or Rates to be rated or assessed on such Tenant or Tenants respectively, or so much thereof as shall be 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 Court of Mayor and Aldermen

Aldermen ſhall have Power to hear and finally to determine the ſame.

And, for the more effectual enforcing the Payment of the ſaid Rates and Aſſeſſments for the Purpoſes aforeſaid, it is hereby further enacted by the Authority aforeſaid, That if any Freeman of London, liable to pay the ſaid Rates and Aſſeſſments, or any Re-aſſeſſments which ſhall and may be made in Caſes herein after mentioned, ſhall have neglected or refuſed to pay the ſame, or any Part thereof, after ſuch Demand as aforeſaid; or if any ſuch Freeman ſhall, for or in reſpect of Poverty or Inability, have deſired to be excuſed, and accordingly ſhall have been excuſed, from paying any ſuch Rate, Aſſeſſment, or Re-aſſeſſment; then, and in ſuch Caſe, every ſuch Freeman ſhall be under the ſame Incapacity of voting at Elections within the City of London, as any Perſon or Perſons now is or are, who do not pay their Scot or Lot to any of the yearly Rates and Aſſeſſments, to which the Citizens of London are at this Time, or ſhall hereafter become, liable.

Freemen, not paying the Rates, incapable of voting.

Provided always, and it is hereby declared and enacted, That any Perſon or Perſons who ſhall think him, or herſelf, or themſelves, aggrieved, by any Rate or Aſſeſſment to be made by virtue or in purſuance of this Act, may, within the Space of Thirty Days next after ſuch Rate and Aſſeſſment ſhall have been demanded as aforeſaid, appeal to the ſaid Commiſſioners, and they are hereby authorized and required forthwith to appoint a Day for hearing ſuch Appeal; and the Party or Parties, ſo appealing, ſhall give Three Days Notice, at the leaſt, of the Day ſo appointed, to the Alderman of the Ward in which the ſaid Aſſeſſment ſhall have been made, or to his Deputy; and ſuch Notice having been given, the ſaid Commiſſioners ſhall and may, upon the Day ſo appointed, proceed to hear and determine ſuch Appeal, and their Determination ſhall be final; and no Fees ſhall be paid on the making, hearing, or determining, of ſuch Appeal.

Perſons aggrieved may appeal.

Provided alſo, and it is hereby further enacted and declared, That if the Alderman of any Ward within the ſaid City of London, or his Deputy, with the major Part of the Common Council Men of the ſaid Ward, ſhall, at any Time or Times hereafter, in any Rates or Aſſeſſments by them to be made, by virtue or in purſuance of this Act, neglect or omit to rate or aſſeſs any Perſon or Perſons liable to ſuch Rates or Aſſeſſments, or ſhall neglect or omit to rate or aſſeſs any Lands, Tenements, or Hereditaments, or the Inhabitants or

Occupiers thereof, within their Ward, in Proportion to the yearly Rent of such Lands, Tenements, or Hereditaments respectively, as the same shall be ascertained and rated in the Rate or Assessment towards the Land Tax; then, and in every such Case, upon Complaint thereof made, by any Inhabitant of the said City, to the said Commissioners, they are hereby authorized and required forthwith to appoint a Day for hearing such Complaint; and the Party or Parties complaining shall give Three Days Notice at the least of the Day so appointed, to the Alderman of the Ward to which such Complaint shall relate, or to his Deputy; and such Notice having been given, the said Commissioners shall and may proceed to hear and determine such Complaint; and, for that Purpose, shall and may summon Witnesses before them, and examine such Witnesses upon Oath (which Oath the said Commissioners are hereby authorized and impowered to administer); and if the said Commissioners shall judge the Matter of such Complaint to be true, they shall make such Alterations in the said Rate or Assessment as shall be just.

Commissioners to hear and determine Complaints of Inhabitants.

Money collected to be paid into the Chamberlain's Office.

And it is hereby further enacted, That every Collector of the Rates and Assessments aforesaid shall, from time to time, pay the Monies arising therefrom, as he shall receive the same, to the Chamberlain of the said City of London for the time being; and upon every such Payment, the said Chamberlain, or One of his Clerks, shall, without Fee or Reward, sign and give Receipts in Writing to such Collector, expressing his Name, the Sum paid, and the Name of the Ward to which the said Collector shall belong; and if such Collector shall, at any Time, keep and retain in his Hands, of the Monies so to be be collected by him, the Sum of Twenty Pounds, or upwards, above Two Days (the Chamber of London being, within that Time, open to receive the same) then, and so often, such Collector shall forfeit and pay the Sum of Ten Shillings for every Day he shall retain the said Sum of Twenty Pounds, or upwards, beyond the said Two Days.

Collector, upon Demand, to give in an Account of all Monies collected.

And it is hereby further enacted by the Authority aforesaid, That every Collector to be appointed by virtue or in pursuance of this Act, shall, upon Three Days Notice in Writing given to, or left for, him at his usual Place of Abode, by the Alderman of the Ward to which such Collector shall belong, or his Deputy, to attend the said Alderman, or his Deputy, at such Time and Place, within their Ward, as he shall appoint; and then and there, if required, deliver in to him,

upon Oath (or if such Collector shall be a Quaker, then upon his solemn Affirmation, which Oath, or Affirmation, such Alderman, or Deputy, is hereby impowered to administer) a true, exact, and perfect Account in Writing, under the Hand of such Collector, of all Sums of Money which he shall then have received by reason of his said Office; and also a true List of the Names of all Persons within his Ward, who shall have refused or neglected to pay his, her, or their said Rates or Assessments, with a true Account of the several Sums of Money which such Persons shall respectively be in Arrear, to the Intent that the same may be speedily got in and recovered: And if any Collector, after such Notice given, shall refuse or neglect to attend, or deliver in his Accounts as aforesaid, or to produce and deliver in the Vouchers relating to the same, or to account for any Sum or Sums of Money by him collected or received, and to pay the same, and every Part thereof, as is herein above directed; then, and in every such Case, such Collector shall, for every such Refusal or Neglect, forfeit and pay such Sum of Money as the Rates and Assessments, which he shall have been entrusted or authorized to collect, shall amount unto, after deducting the Amount of the Sum or Sums by him actually paid to the Chamberlain of the said City for the time being; which Forfeiture shall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record, to be commenced and prosecuted in the Name of the said Mayor, and Commonalty, and Citizens, of the said City; in which Action or Suit such Collector shall be held to special Bail, and no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Penalty on Refusal to account, or make Payment.

Provided always, and it is hereby further enacted and declared, That if any Collector or Collectors of the said Rates and Assessments, shall have in his or their Hands any of the said Rates or Assessments collected by him or them, and shall refuse to account for and pay the same as aforesaid, the Alderman of the Ward to which such Collector or Collectors shall belong, is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Collector or Collectors to be brought before him, to hear and determine the Matter of such Complaint in a summary Way; and if, upon the Confession of such Collector or Collectors, or the Testimony of any credible Witness or Witnesses, upon Oath (which Oath such Alderman is hereby impowered and required to administer) it shall appear to him that any of the Monies

Monies which shall have been collected and raised by virtue of this Act, shall then be in the Hands of such Collector or Collectors, and that he or they refuseth or refuse to pay the same according to the true Intent and Meaning of this Act, the said Alderman is hereby authorized and required, by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattles of such Collector or Collectors respectively; and if no Goods or Chattles of such Collector or Collectors can be found, sufficient to answer and satisfy the said Money, and the Charges of such Distress and Sale, then the said Alderman may and shall commit such Collector or Collectors to One of the Compters of the said City, there to be detained and kept without Bail or Mainprize, until he or they shall pay the same, or such Composition as the said Commissioners shall agree to accept in full, which Composition such Commissioners are hereby impowered to make.

Collector dying, or becoming Bankrupt, his Estate liable to Payment;

And it is hereby further enacted, That if any Collector or Collectors shall happen to die, or to become Bankrupt, before he or they shall have fully paid and satisfied all the Money by him or them received by virtue of this Act, or such Composition for the same as aforesaid; then, and in every such Case, the Executors or Administrators, Executrix or Administratrix, or other legal Representative or Representatives of such Collector or Collectors, or the Assignee or Assignees of his or their Estate and Effects, or other Person or Persons possessing the same, shall, in the First Place, out of such Estate and Effects, pay unto the Chamberlain of the said City of London for the time being, all such Sums of Money as were in the Hands of such Collector or Collectors at the Time of his or their Death, or at the Time of suing out any Commission of Bankruptcy against him or them, or so much thereof as the said Estate or Effects will extend to pay; and the Receipt of the said Chamberlain shall be a good Discharge for the said Money: And every Executor or Administrator, Assignee or Assignees, or other Person as aforesaid, may, to any Action or Suit commenced or brought against him or them, plead or give in Evidence the Payment of the same; and shall be allowed such Payment out of the Estate or Effects of such Collector or Collectors, prior to any other Debt or Demand whatsoever: And in case of Nonpayment of the same, by the Space of One Calendar Month after the same shall be demanded, it shall and may be lawful to and for the Alderman of the said Ward, or his Deputy, to commence and prosecute

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One or more Action or Actions for the ſame, in the Name of the Mayor and Commonalty and Citizens of the ſaid City, in any of His Majeſty's Courts of Record, againſt ſuch Executors or Adminiſtrators, Aſſignee or Aſſignees, or other Perſon as aforeſaid.

but if Inſolvent, &c.

And, to the Intent that ſubſtantial Perſons may be choſen and appointed Collectors in each Ward, it is hereby further enacted, That in caſe any Collector or Receiver of the ſaid Rates and Aſſeſſments ſhall become Inſolvent, or ſhall embezzle or make away with, detain or miſapply, any Sum or Sums of Money ſo collected by him for the Uſes aforeſaid, ſo that the ſame cannot be recovered; or ſhall die poſſeſſed of any Sum or Sums of Money by him or them collected by virtue of this Act, and which ſhall not be paid by his Executors or Adminiſtrators; then, and in every ſuch Caſe, ſuch Sum and Sums of Money ſhall be again rated and aſſeſſed on the Inhabitants of the Ward for which ſuch Perſon was choſen and appointed Collector, by the Alderman of ſuch Ward, or his Deputy, with the major Part of the Common Council Men of the ſaid Ward, in ſuch Proportion and Manner as the Rates are directed to be made by this Act; and ſhall be collected levied, and diſtrained, in ſuch Manner, and under ſuch Penalties, as are herein provided for collecting and levying the Rates due and payable by this Act.

the Money to be again aſſeſſed.

Chamberlain to pay all Sums of Money by Order of the Commiſſioners, and to make Entries.

And it is hereby further enacted, That the Chamberlain of the ſaid City of London for the time being ſhall and may, and he is hereby authorized and required, out of the Monies collected and paid into the Chamber of the ſaid City purſuant to this Act, to pay all Sums of Money which the ſaid Commiſſioners ſhall from time to time draw upon him for, or order him to pay: And the ſaid Chamberlain for the time being ſhall, and he is hereby required, to keep regular and clear Entries in a Book or Books to be for that Purpoſe by him provided and kept, of all and ſingular his Receipts and Payments, on account or in purſuance of this Act; to which Book or Books every Citizen of London, liable to the ſaid Rates, ſhall and may have free Acceſs at all convenient Times, with full Liberty to inſpect the ſame, without Fee or Reward; and alſo that the ſaid Chamberlain for the time being ſhall, once in every Year, have the ſaid Accounts audited and paſſed by the ſaid Commiſſioners, and ſhall deliver Copies of the ſaid Accounts to each Houſe of Parliament, within Twenty Days after the opening of every Seſſion.

And whereas the Contracts for lighting and cleansing the said City and Liberties are made to the Twenty fifth Day of December, One thousand seven hundred and sixty six, but the present Rates for defraying the Expence thereof are to cease on the Twenty ninth Day of September, One thousand seven hundred and sixty six; it is hereby further enacted, That nothing in this Act contained shall extend, or be construed to extend, to annul or vacate such Contracts, or any of them, but that the same shall continue in Force as if this Act had never been made; and the Charges and Expences, payable in respect of the Three last Months thereof, shall and may be paid out of the Monies to be collected by virtue of this present Act.

The present Contracts for lighting, &c. the Streets, not vacated.

And, for the more effectually enabling the said Commissioners to execute the Purposes of this Act in the most expeditious Manner, it is hereby further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby impowered from time to time, when they shall judge it necessary for the Purposes aforesaid, to borrow and take up at Interest any Sum or Sums of Money, not exceeding One hundred thousand Pounds, upon the Credit of the Rates or Assessments to be made and payable by virtue of this Act; and by any Writing or Writings upon Vellum or Parchment, signed by them, to assign the said Rates or Assessments to any such Person or Persons who shall advance or lend such Money thereon, as a Security or Securities for the several Sums so borrowed, with legal or lower Interest for the same; which Interest shall be payable and paid Half-yearly, by the Chamberlain of the said City for the time being, out of the Monies to arise by or from the said Rates or Assessments.

Commissioners may borrow Money on Credit of the Rates.

And whereas many Persons may chuse to advance Money for the Purchase of Annuities, to be secured upon and payable out of the said Rates and Assessments, it is hereby further enacted, That it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay, into the Hands of the said Commissioners, for the Purposes of this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of One hundred thousand Pounds, for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life of such Persons, being of the Age of Forty five Years, or upwards, as shall be nominated by or on the Behalf of such respective Contributors, at the Time of Payment of their respective Contribution-monies; which

100,000 *l.* may be borrowed by Annuities on Lives, at 8 *l. per Cent.*

Annuity

Annuity or Annuities shall not exceed the Rate of Eight Pounds per Centum per Annum for every One hundred Pounds, and so in Proportion for any greater or lesser Sum, to be advanced and paid as aforesaid: All which Annuities, so to be purchased, shall be payable and paid, by the said Chamberlain of the said City for the time being, out of the Monies to arise by or from the said Rates and Assessments, by Four equal quarterly Payments; the First Payment to be made to the respective Purchasers, or their Assigns, at the Expiration of the First Quarter after Payment of their respective Purchase-monies; the Rate whereof shall be settled and adjusted by a public Sale of the said Annuities, by the said Commissioners, to the best Bidder for the same.

Clerk to enter all Securities.

And it is hereby further enacted, That the Clerk of the said Commissioners for the time being shall enter in a Book or Books, to be for that Purpose provided and kept by the said Commissioners, all Securities for Monies borrowed, or Annuities granted, by virtue or in pursuance of this Act, and all Assignments or Transfers thereof; expressing in Words at Length the Names, Surnames, Additions, Places of Abode, and other Descriptions, of all such Persons as shall, from time to time, be intitled to such Securities, and the Sums received upon such Securities; and also the Names, Surnames, Additions, Places of Abode, and other Descriptions, of the Persons for whose Lives the said Annuities shall be respectively granted, and the Days whereon the said Annuities shall respectively be payable; to which Book and Books the Person and Persons intitled to and possessed of such Annuities, and all and every the Person or Persons liable to the Payment of the said Rates and Assessments, shall, at all seasonable Times, have Access, with free Liberty to inspect the same, without Fee or Reward.

Annuities not liable to Taxes.

And it is hereby further enacted, That all and every Person and Persons who shall purchase such Annuity or Annuities, and shall duly pay the Purchase-monies for the same, at the Rates aforesaid, and his, her, or their respective Executors, Administrators, and Assigns, shall have, receive, and enjoy, the respective Annuity or Annuities so purchased, during the Term of the natural Life or Lives of the Person or Persons by them respectively nominated at the Time of such Purchase, and shall have good, sure, absolute, and indefeasible Estates and Interests in the said Annuities respectively, according to the true Tenor and Meaning of this Act; and that none of the said Annuities shall be subject or liable

liable to any Tax assessed upon Land by Authority of Parliament; and every such Purchaser shall, upon Payment of his or her Purchase-money as aforesaid, have an Order on Parchment or Vellum for Payment of the Annuity or Annuities so purchased by him or her, for and during the natural Life or Lives of such Person or Persons as shall be nominated by him or her as aforesaid; which Order shall be signed by the said Commissioners, and after signing thereof, shall be firm, good, valid, and effectual, in the Law, according to the Purport and Meaning thereof, and of this Act.

Securities transferrable.

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

Money borrowed charged on the Rates.

And it is hereby further enacted, That all and every the Sum and Sums of Money so to be advanced and lent, and the Interest thereof, and all and every the Annuity and Annuities, so to be purchased, under and by virtue of this Act, shall be, and they are hereby charged upon, and shall be paid and payable, from time to time, out of the Monies arising from the Rates and Assessments to be rated and assessed by virtue and for the Purposes of this Act; and all the Persons who shall be so possessed of such Securities, shall be Creditors in equal Degree, without Preference in respect of the Priority of his, her, or their advancing the Money thereon.

Persons charged towards these Rates, not liable to the former;

Provided always, and it is hereby further enacted and declared, That no Person who shall be charged or assessed towards the Rates to be made by virtue or in pursuance of this Act, shall thereafter be liable to, or charged with, any other Rates or Assessments, made or to be hereafter made by virtue or in pursuance of any former Act or Acts of Parliament, for or towards the paving, cleansing, or enlightening, the said City and Liberties, or any Part thereof.

Provided

Provided also, and it is hereby further enacted and declared, That nothing in this Act contained shall extend, or be construed to extend, to repeal, annul, or make void, any of the said Rates or Assessments, made or charged by virtue or in pursuance of any such former Act or Acts of Parliament, which shall be due and payable, or in Arrear, on the said Twenty ninth Day of September, One thousand seven hundred and sixty six, or any of the Remedies, Powers, or Provisions, given or provided by such former Act or Acts respectively, for the collecting, levying, or recovering the same; but all such Rates and Assessments, and all Arrears thereof respectively, which shall remain or become due and payable on the said Twenty ninth Day of September, One thousand seven hundred and sixty six; and all the Remedies, Powers, and Provisions, in and by such former Act or Acts respectively granted, enacted, or provided, for the collecting, levying, and recovering, the same respectively, shall continue and be in Force; any thing herein before contained to the contrary thereof in any wise notwithstanding. but Arrears of former Rates still recoverable.

And whereas it was by the said Act of the Seventeenth Year of the Reign of His said late Majesty King George the Second, enacted, That if, at the Expiration of Seven Years, it should be found that any Surplus should have arisen from the Monies collected by virtue of the said Act, over and above what should have been issued and applied in pursuance thereof, such Surplus Monies should remain in the Chamber of the said City of London, to be applied either in Aid of the Orphans Fund, or in Abatement or Diminution of future Rates and Assessments, or to be otherwise disposed of to and for the Use and Benefit of the Citizens of London, as they, by any Act of Common Council, should direct and appoint: And whereas there is, at this Time, standing in the Name of the Chamberlain of the said City, the Sum of Six thousand Pounds Three per Cent. Consolidated Bank Annuities, which were purchased with or out of the Surplus Monies collected by virtue of the said last mentioned Act, over and above what had been issued and applied in pursuance thereof; and it will tend to expedite the good Purposes of this present Act, if such Bank Annuities, and such other Surplus as now is, or hereafter may be, in the Chamber of London, of the Monies collected, or to be collected, by virtue of the said former Act, were to be applied towards the carrying on the Purposes aforesaid; therefore it is hereby further enacted and declared, That the said Six thousand Pounds

Surplus remaining in the Chamber under Act 17 *Geo.* II,

Bank Annuities, and all such Surplusses as have arisen, or shall or may arise, from the Monies collected, or to be collected, by virtue of the said Act of the Seventeenth Year of His said late Majesty, and shall, on the said Twenty fifth Day of December, One thousand seven hundred and sixty six, be remaining in the said Chamber of London, over and above what shall then have been

to be applied to this Act.

issued and applied in pursuance of the said last mentioned Act, shall and may be applied towards the Purposes of this present Act, at such Time or Times, and in such Manner, as the said Commissioners shall, from time to time, think fit, order, or direct; and the Chamberlain of the said City for the time being shall, immediately after the said Twenty fifth Day of December, carry the said Six thousand Pounds Bank Annuities, and the Amount of the Surplus of the said Monies which shall then be in his Hands, to the Credit of the Account of Monies to be collected and paid into the said Chamber by virtue or in pursuance of this present Act.

Tolls to be taken at the Turnpikes here mentioned on *Sundays*.

And, to the End and Intent that the useful Purposes of this Act may be the better and more speedily carried into Execution, and for and towards increasing the Fund for defraying the Charges of the same; it is hereby further enacted, That upon and after the First Sunday next after the passing of this Act, there shall be paid to the Receiver or Receivers, Collector or Collectors, to be nominated and appointed as herein after mentioned, before any Cattle or Carriages 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, viz. The Turnpike at Mile End; the Turnpike at Bethnal Green; the Turnpike at Hackney; the Turnpike at Kingsland; the Turnpike at Ball's Pound, or Pond, Islington; the Turnpike at Holloway; the Turnpike at the End of Saint John's Street; the Turnpike at the End of Goswell Street; and the Turnpike on the New Road, commonly called The City Road; all which Turnpikes are in the County of Middlesex; the following Tolls; viz.

The Tolls.

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

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

For

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 for and in the Name of 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 Roads, or any of them; and the Monies arising therefrom shall be, and are hereby, vested in the said Mayor, Commonalty, and Citizens, and shall be disposed of for the Purposes of this Act: And the said Commissioners are hereby impowered by themselves, or by any Person or Persons by them thereto authorized, 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 and may be lawful for the Person or Persons so distraining, after the Space of Four Days from the Time of making and taking such Distress, to sell the Horse or Horses, Cattle, Goods, or Chattles, so distrained, rendering 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.

The said Tolls to be taken above, and exclusive of, all other Tolls, and to be vested in the Mayor, &c.

and to be levied by Distress.

Distress may be sold after 4 Days.

And it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners, if they shall think proper, at any Time or Times during the Continuance of this Act, to cause to be erected any Turnpike or Turnpikes, at or near all or any of the respective Places aforementioned, for the Purposes of collecting the several and respective Tolls hereby made payable; and also cause to be erected or provided a Toll-house at or near each Turnpike; and, from time to time, to remove or alter the same as they the said Com-

Commissioners may erect Turnpikes, &c.

Turnpikes, &c. vested in the Mayor, &c.

Commissioners shall think expedient: And the Right and Property of all the Turnpikes and Toll-houses to be, from time to time, erected and provided by virtue of this Act, and the Right and Property of the Materials provided for building or repairing the same, shall be, and are hereby, vested in the Mayor, Commonalty, and Citizens; and they are hereby impowered to bring, or cause to be brought, any Action or Actions in the Name of the Corporation, and to prefer, or order the preferring of Indictments against any Person or Persons who shall injure the same, or any Part thereof, or disturb them in the Possession thereof, or take or retain, or hold Possession thereof, after being required by Order of the Commissioners to deliver up the same.

Tolls may be collected at the Turnpikes already erected.

Provided always, and it is hereby further enacted and declared, That it shall and may be lawful for the several and respective Receivers or 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 Let, Hindrance, or Molestation, of any Person or Persons whatsoever, to make use of all or any of the Gates, 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 several and 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 it is hereby further enacted, That no Person or Persons shall be liable to pay the said Street Toll more than Once for passing or repassing, 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 Carriages, through the Gate or Turnpike at which any such Toll was paid, and also through all other Gates and Turnpikes whereat the said Tolls are hereby made payable, 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.

And

And it is hereby further enacted, That the ſaid Commiſſioners may, and they 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 Lettings or Agreements be made in Writing, and ſigned by the Perſon or Perſons taking or farming any ſuch Tolls, and by the ſaid Commiſſioners letting 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 Chamberlain of the ſaid City for the time being, by quarterly Payments; and that the Perſon or Perſons to whom the ſame ſhall be ſo lett, ſhall always pay One Quarter's Pay in Advance; and if any Letting, or Agreement for letting the ſaid Tolls, or any Part or Parts thereof, ſhall be made, and 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 or them, in the ſame Manner as is by this Act directed for the accounting for the ſaid Tolls, by the Collectors thereof, and for the levying and recovering the ſame upon and of them.

Commiſſioners may lease, &c. the Tolls;

And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, at any Time or Times, by any Writing or Writings, under their Hands and Seals, to nominate and appoint ſuch Perſon or Perſons to be Receiver or Receivers, Collector or Collectors, of the ſaid reſpective Tolls, as they ſhall think fit; and all Perſons by this Act made liable to pay the ſaid Tolls, or any of them, are hereby required to pay the ſame to ſuch Receiver or Receivers, Collector or Collectors, as aforeſaid; and all ſuch Receivers and Collectors ſhall reſpectively pay the ſame into the Office of the Chamberlain of the ſaid City, in like Manner, and under the like Regulations and Reſtrictions, as are herein before expreſſed of and concerning the collecting and paying the Rates and Aſſeſſments aforeſaid; and ſhall alſo upon Oath, if thereunto required by the ſaid Commiſſioners conſtituted by this Act (which Oath the ſaid Commiſſioners are hereby authorized and impowered to adminiſter)

and appoint Officers,

who are to account upon Oath.

from time to time give unto the said Commissioners, or to such Person or Persons as they shall appoint for that Purpose, a true, exact, and perfect Account in Writing, under their respective Hands, of all Monies which they, and every, or any of them, shall to such Time have received by virtue of this Act: And if any such Receiver or Collector shall not make and render, or shall refuse to verify upon Oath any such Account, or to make Payment as aforesaid, then, or in either of such Cases, it shall be lawful to or for One or more Justice or Justices of the Peace, and such Justice or Justices, upon Complaint to him or them made, is and are hereby authorized and required to make Enquiry concerning such Default, as well by Confession of the Party, as by the Testimony of any credible Witness or Witnesses, upon Oath (which Oath such Justice or Justices is and are hereby impowered and required to administer, without Fee or Reward); and if any such Receiver or Collector shall be convicted of any or either of the Offences aforesaid, such Justice or Justices shall commit every such Offender to the Common County Goal, without Bail or Mainprize, until he shall give or make a true and perfect Account and Payment as aforesaid, or until he shall have compounded with the said Commissioners constituted by this Act, and shall have paid such Composition in such Manner as they shall appoint; which Composition the said Commissioners are hereby impowered to make; and the said Commissioners shall and may, out of the Monies arising by the said Tolls, or otherwise, make such Allowance unto their Receivers and Collectors, and all other Persons to be employed by or under the said Commissioners in the Execution of this Act, for their Care and Pains in their respective Offices, as the said Commissioners shall think fit and reasonable.

Officers refusing to account,

Justices to enquire into the Default,

and commit the Offenders until Payment or Composition be made.

Commissioners to allow Officers Salaries.

And it is hereby further enacted, That if any Person or Persons shall forceably 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 knowingly or designedly assault, interrupt, or obstruct, any or either of the Collectors or Persons employed in the collecting or receiving any or either of the said Tolls, or any otherwise, in the Execution of his or their respective Office or Offices of Receiver or Collector; 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

Penalty on forcably passing through the Gates, &c.

and on giving or receiving Tickets, &c. to avoid Payment of the Tolls.

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 to and for the ſaid Receivers or Collectors, and for every of them, and all other Perſons required by them 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 to take ſuch Offenders before any Juſtice of the Peace, 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 Non-payment 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 ſeizing 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 were when ſo ſeized as aforeſaid; and if no ſuch Seizure as aforeſaid can or ſhall be made, then the aforeſaid Penalties and Tolls ſhall be levied and recovered by ſuch Means, and applied in ſuch Manner, as herein after mentioned.

Tolls may be farmed.

And it is hereby further enacted, That it ſhall and may be lawful to and for the Commiſſioners of any of the ſaid Turnpikes for the time being, or for any Three or more of the Commiſſioners of each of the ſaid Turnpikes, at any of their Public Meetings, to treat and agree with the Commiſſioners conſtituted by this Act, for the taking or farming any of the ſaid Tolls.

Tolls may be aſſigned for Money borrowed.

And it is hereby further enacted, That the ſaid Commiſſioners may, and they 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 thereof, by any Writing or Writings under their Hands and

and Seals, the Charges of such Assignments and Conveyances to be paid out of such Tolls respectively, to any Person or Persons who shall advance or lend their Money thereon, as a Security or Securities for the several Sums which 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 for the time being of the said Commissioners; and all and every Person and Persons, to whom such Assignments shall be made, are hereby impowered from time to time, to assign and transfer their Right and Interest by Indorsement on the Back of their Securities, in like Manner and Form, as the Securities for the Monies borrowed on the Rates and Assessments to be made and levied by virtue of this Act, are above directed to be assigned and transferred; and all such Assignments and Transfers shall be produced, notified, and entered, in like Manner as is above described, with respect to the Producing, Notification, and Entry, of the Assignments and Transfers of the Securities for such Rates and Assessments; and it shall not be in the Power of any Person who shall have made any Assignment or Transfer of their Securities on the said Tolls, to make void or discharge the same, or any Money due thereon; and no Person or Persons advancing any Sums of Money on the Credit of the said Tolls, shall be intitled to any Preference with respect to the Priority of advancing any such Sum or Sums; but all Persons to whom any Mortgages or Assignments shall be made as aforesaid, shall be Creditors in equal Degree one with another, in Proportion to the Sums therein mentioned.

Assignments to be entered in a Book.

Assignments may be transferred.

All Creditors deemed equal in Degree.

Monies vested in the Mayor, &c. and applied to this Act.

And it is hereby further enacted, That all the Monies to be raised by virtue of this Act, shall be, and the same are hereby vested in the said Mayor, and Commonalty, and Citizens, of the said City; and shall be applied to the Purposes of this Act, and to and for no other Use or Purpose whatsoever.

Charges of passing this Act how to be paid.

Provided always, and it is hereby further enacted, 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 thereof.

Writings to be without Stamps.

Provided also, and it is hereby 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 constituted by this Act, or any Justice or Justices of

the

the Peace, or exhibited before any of 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 Duty whatſoever.

Penalties and Forfeitures how to be recovered and applied.

And it is hereby further enacted by the Authority aforeſaid, That all Penalties and Forfeitures by this Act impoſed (the Manner of recovering and levying whereof is not hereby otherwiſe particularly directed) ſhall be recovered and levied by Diſtreſs and Sale of the Offenders Goods and Chattles, by Warrant under the Hand and Seal, or Hands and Seals, of any One or more Juſtice or Juſtices of the Peace of the City or Place where the Offence ſhall be committed, or the Offender found; which Warrant ſuch Juſtice or Juſtices are hereby impowered and required to grant, upon the Confeſſion of the Party or Parties, or upon Information of One or more credible Witneſs or Witneſſes, upon Oath (which Oath ſuch Juſtice or Juſtices is and are hereby impowered to adminiſter) and the Penalties and Forfeitures, when recovered, after rendering the Overplus (if 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 Chamberlain of the ſaid City for the time being, and be applied the One Half to the Informer, and the other Half towards the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, then it ſhall and may be lawful to and for any ſuch Juſtice or Juſtices to commit ſuch Offender to any Priſon of the City or Place within his or their Juriſdiction, without Bail or Mainprize, for any Space of Time not exceeding Thirty Days, nor leſs than Ten Days.

Proceedings not to be quaſh'd for want of Form,

And it is hereby further enacted, 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 it is hereby further enacted, 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 clear Days Notice ſhall be thereof given in Writing to the Clerk for the time being of the Commiſſioners conſtituted by this Act, 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 City or County where the Cause of Action shall arise, and not elsewhere; and that the Defendant or Defendants in such Actions or 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 clear Days Notice 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 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 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.

Ibid.

Treble Costs.

And it is hereby further enacted and declared, That immediately after the several Authorities, Powers, and Provisions, herein before given, granted, established, declared, and provided, shall commence and take Effect respectively, for the Purposes of paving, cleansing, and enlightening, the said City, and the Liberties thereof, and the other Purposes of this Act, according to the Tenor and true Meaning thereof; so much of the said Act made in the Twenty second and Twenty third Years of the Reign of the late King Charles the Second, and of the said Act made in the Second Year of the Reign of Their late Majesties King William and Queen Mary, as relates to the paving and cleansing the Streets in the said City of London, and to the preventing of Nuisances and Obstructions within the same; and so much of the said Act made in the Tenth Year of the Reign of His late Majesty King George the Second, as re-

Acts 22 & 23 *Car.* II.

2 *Will. & Mary,*

& 10, 17, & 33 *Geo.* II. in part repealed.

lates to the paving the said Streets; and the said Act made in the Seventeenth Year of the Reign of His late Majesty King George the Second, and all the Powers, Provisions, Clauses, and Matters, therein contained; and so much of the said Act made in the Thirty third Year of the Reign of His said late Majesty King George the Second, as relates to the repairing and relaying such Pavement in the said City, as shall be damaged by the breaking up of the same to amend or relay any Water Pipes; shall be, and the same is and are respectively hereby, repealed and made void.

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

FINIS.