Anno ſeptimo

# Georgii III. Regis.

An Act to enlarge the Term and Powers of an Act made in the Twenty ninth Year of King *George* the Second, for making a Road from the Eaſt Side of the Pariſh of *Saint Matthew Bethnal Green*, in the County of *Middleſex*, to the Eaſt End of *Church Street*, and to open a Way into *Shoreditch*; and for repairing, paving, and regulating, *Old Cock Lane*, *New Cock Lane*, *Church Street*, and the Road on the Weſt Side of the opening into *Shoreditch*; and for removing Nuiſances and Obſtructions therefrom, and preventing the ſame for the future.

WHEREAS an Act was made in the Twenty ninth Year of the Reign of His late Majeſty King George the Second, intituled, An Act for making and widening a Road from the Eaſt Side of the Pariſh of *Saint Matthew Bethnal Green*, in the County of *Middleſex*, to the Eaſt End of *Church Street*, in the ſame Pariſh; and to open a Way or Road into *Shoreditch*, and keeping the ſame in Repair; which was to continue in Force from the Firſt Day of May, One thouſand ſeven hundred and fifty ſix, for the Term of Twenty one Years, and from thence to the End of the then next Seſſion of Parliament, upon the Conditions therein expreſſed: And whereas the Sum of Three thouſand Pounds hath been borrowed upon the Credit of the ſaid Act, and the ſame ſtill remains due; Preamble, reciting Act 29 *Geo.* II.

which Sum, together with the Tolls, have been duly applied, and great Progress has been made in the Execution of the said Act, and the said Roads have been laid out as directed by the said Act; but the same cannot be kept in sufficient Repair, and the Money so borrowed be repaid, unless the Term of the said Act be further continued, and the said Act made more effectual: And whereas the Street called Church Street, and the Lanes called Old Cock Lane, and New Cock Lane, and also the Way lying on the West Side of the present Opening from Old Cock Lane into Shoreditch, all near or adjoining to some Parts of the Roads included in the said Act, are in a ruinous Condition, and dangerous for Passengers, and it would be of publick Utility to have the said Street, Lanes, and Way, paved, mended, and regulated, and all Nuisances and Obstructions removed thereout, and prevented for the future: May it therefore please Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act made in the Twenty ninth Year of His said late Majesty King George the Second, except so far as the same is hereby altered, shall be, and the same is hereby further continued from the Expiration thereof; and also of the additional Term of Five Years granted by an Act made in the Twenty eighth Year of His said late Majesty King George the Second, intituled, An Act to amend an Act made in the Twenty sixth Year of His present Majesty, intituled, *An Act for the Amendment and Preservation of the Publick Highways and Turnpike Roads of this Kingdom; and for the more effectual Execution of the Laws relating thereto, for and during the further Term of Twenty one Years, and from thence to the End of the then next Session of Parliament*; which said additional Term hereby granted, shall be subject to the Payment of all Sums of Money now due and owing upon the Credit of the said former Act, and of such other Sum and Sums of Money as shall be borrowed for the Purposes of the said former Act, or of this Act, and the Interest due and to grow due on the same; and the said Act, and all Clauses, Powers, Provisions, Orders, Regulations, and Restrictions, Matters, and Things, therein contained, and this Act, shall, from and after the passing of this Act, extend to and be executed, as well for the Intents and Purposes in the said former Act mentioned, as for the amending the said Street, Lanes, and Way, herein before

The recited Acts further continued for 21 Years.

beſore mentioned and deſcribed, in as full and ample a Manner, as if the ſaid Act was herein again repeated and re-enacted, and the ſaid Street, Lanes, and Way, had been included in the ſaid former Act.

Perſons qualified as this Act directs may be Truſtees, though not reſident in the County of *Middleſex*.

Provided always, and be it enacted by the Authority aforeſaid, That every Owner and Leaſeholder of any Meſſuages, Tenements, or Hereditaments, within the ſaid Street or Lanes, or either of them, and qualified as this Act directs, ſhall be a Truſtee or Truſtees for putting the ſaid former Act and this Act into Execution, although ſuch Owners or Leaſeholders be not reſident within the County of Middleſex; any thing in the ſaid former Act, or this Act, contained to the contrary notwithſtanding.

Qualification of Truſtees.

And be it enacted by the Authority aforeſaid, That no Perſon ſhall be capable of acting as a Truſtee in any Caſe in the Execution of this Act, or the ſaid former Act, from the Time of paſſing this Act, unleſs at the Time of acting therein, he ſhall, in his own Right, or in Right of his Wife, be in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of a Real Eſtate in Law or Equity, of the clear yearly Value of Forty Pounds above Repriſes, or poſſeſſed of, or intitled unto, a Perſonal Eſtate to the Amount or Value of One thouſand Pounds: And in caſe any Perſon ſhall preſume to act as a Truſtee for putting into Execution the ſaid former Act, or this Act, not being qualified in Manner aforeſaid, he ſhall forfeit and pay the Sum of Fifty Pounds; Half thereof to be paid to the Perſon who ſhall inform, proſecute, and ſue, for the ſame; and the other Half to be paid to the ſaid Truſtees; the ſaid Penalty or Forfeiture to be recovered by Bill, Plaint, or Information, in One of his Majeſty's Courts of Record at Weſtminſter, together with Coſts of Suit; wherein no Eſſoin, Protection, or Wager of Law, or more than One Imparlance, ſhall be allowed; and in ſuch Proſecution it ſhall be ſufficient for the Informer or Plaintiff to prove the Defendant to have acted as a Truſtee in putting this or the ſaid former Act into Execution.

Penalty on acting if not qualified.

*Church Street*, &c. to be paved, &c.

And be it further enacted by the Authority aforeſaid, That from and after the Twenty fourth Day of June, One thouſand ſeven hundred and ſixty ſeven, the ſaid Truſtees, or any Five or more of them, ſhall have full Power and Authority, from time to time, to order and direct the ſaid Street and Lanes called Church Street, Old Cock Lane, and New Cock Lane, and the Road or Way lying on the Weſt Side of the preſent Opening from

from Old Cock Lane into Shoreditch, to be paved or repaired, when, and as often, and in such Manner, and with such Materials, as the said Trustees, or any Five or more of them, shall think fit; and for such Purpose, may from time to time cause to be dug, carted, and carried out of, or brought into the said Street, Lanes, and Way, hereby directed to be paved, 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 Channel running in or through the same to be turned or altered, and the Water Pipes which now lay, or hereafter shall be laid under Ground, to be taken up, and new laid in such Places, Manner, and Form, as the said Trustees, or any Five or more of them, shall judge best; and may cause such Posts as they shall judge useless or inconvenient, to be taken up and removed, and likewise all Steps, Bulks, Shew Glasses, and Shew Boards, incroaching upon the Footways, as also all Steps and Doors opening or leading from the Footways into Vaults or Cellars, to be removed or altered, and to do all and every such other Acts and Things, as the said Trustees, or any Five or more of them, shall judge necessary for the Purposes aforesaid, and that all such Removals and Alterations be done at the Expence of the said Trustees: Provided, That in paving Old Cock Lane, the Kirb Stone on the South Side thereof, shall not be more than Nineteen Feet from the Front of the Houses on the North Side of the same Lane, without the Consent of the Owner or Leaseholder of the Premisses on the South Side, first had in Writing, signed by such Owner or Leaseholder.

Trustees may contract for paving, &c.

And be it further enacted, That the said Trustees, or any Five or more of them, may, and are hereby impowered, from time to ime, at any of their Meetings, as Occasion shall require, to contract with any fit Person or Persons, for paving and keeping in Repair the said Street, Lanes, and Way; which Contract and Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Work shall be compleated, and the Penalties to be suffered in case of Non-performance thereof; and shall be signed by the said Trustees, or any Five or more of them, and by the Person or Persons contracting to perform such Works; and that the said Pavement of the said Street, Lanes, and Way, shall, from and after the passing of this Act, be carried on with all convenient Speed.

Provided

Contracts between Landlords and Tenants not to be void.

Provided always, and be it enacted, That nothing herein contained ſhall extend, or be deemed or taken to make void any Contract or Agreement between Landlord and Tenant, touching the paving the ſaid Street, Lanes, or Way, or any of them; but that every Perſon who is now, by virtue of any ſuch Contract or Agreement, obliged to pave or keep in Repair any Part thereof, ſhall in lieu thereof be obliged to pay the Rate hereby directed to be paid and aſſeſſed, or ſo much thereof as ſhall by the ſaid Truſtees, or any Five or more of them, be deemed juſt and reaſonable according to the true Meaning of ſuch Contract or Agreement, for and during ſuch Time as ſuch Contract or Agreement ſhall remain in Force; and in caſe any Diſpute ſhall ariſe concerning ſuch Contract or Agreement, the ſaid Truſtees, or any Five or more of them, ſhall have Power, and they are hereby required to hear and finally determine the ſame.

Truſtees may diſpoſe of old Pavements.

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

How Pavement taken up to repair or cleanſe Drains, or lay Pipes, ſhall be relaid:

And be it further enacted by the Authority aforeſaid, That when and ſo often as any Part of the Pavement of the ſaid Street, Lanes, or Way, ſhall be taken up for the Purpoſe of making, repairing, altering, cleanſing, or emptying any Vault or Drain, or of laying, altering, or amending, any Water Pipe or Plug, or for any other Purpoſe, the Perſon or Perſons ſo taking up ſuch Pavement, ſhall immediately give Notice thereof in Writing to the Treaſurer, Surveyor, or Clerk to the ſaid Truſtees, in order that the ſame may with all convenient Speed be laid down and repaired under the Inſpection of the ſaid Treaſurer or Surveyor; and the Charges and Expences thereof ſhall be paid by the ſaid Truſtees, and they ſhall be reimburſed the ſame by the Perſon or Perſons, or Companies of Water-works, who ſhall take up, or cauſe or procure to be taken up, the ſaid Pavements, or any Part or Parts thereof; provided that no Perſon charged to the Rate by this Act ſhall be liable to pay for repaving, at any Time of laying or repairing the Leaden Pipes from any of the Companies Water Pipes to any of the Houſes ſo rated.

Truſtees may compound for the ſame.

Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid

ſaid Truſtees, or any Five or more of them, from time to time to compound and agree with the ſaid Companies, or other Perſon or Perſons reſpectively, for a certain Sum of Money by the Foot or other Meaſure, as the ſaid Truſtees, or any Five or more of them, ſhall think reaſonable, inſtead of laying down or repairing ſuch Pavement, as ſhall be neceſſarily taken up for any the Purpoſes aforeſaid.

Compoſition-money how to be recovered.

And be it further enacted by the Authority aforeſaid, That in caſe ſuch Perſon or Perſons, or Companies of Water-works, ſhall neglect or refuſe to pay what the ſaid Truſtees ſhall have ſo paid and diſburſed, or what ſhall be due upon ſuch Contract or Compoſition as aforeſaid, within Ten Days next after Notice thereof to be left by the Clerk to the ſaid Truſtees, at the Dwelling-houſe or Place of Abode of ſuch Perſon or Perſons, or of the Secretary or Secretaries, Clerk or Clerks, of ſuch Companies of Water Works, which ſhall be in Writing and ſigned by the Clerk to the ſaid Truſtees, by Order of the ſaid Truſtees, or any Five or more of them, and annexed to the Bill of Charges and Diſburſements, containing an Account of the Expence of ſuch Repair or Money due upon ſuch Compoſition, it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, and they are hereby authoriſed and impowered to bring, or cauſe to be brought, any Action or Actions in the Name of their Clerk for the time being, for the Recovery of ſuch Sum or Sums of Money reſpectively; and in caſe ſuch Perſon or Perſons hereby directed to give ſuch Notice to the Treaſurer, Surveyor, or Clerk, as is before directed, ſhall neglect ſo to do, for the Space of Ten Days after ſuch Pavement ſhall be ſo taken up, ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit and pay the Sum of Ten Shillings.

Truſtees may alter the Poſition of Pipes.

And be it further enacted by the Authority aforeſaid, That if for the Purpoſes of this Act, it ſhall be found neceſſary to raiſe or any otherwiſe alter the Poſition of any of the Pipes or Plugs laid down or placed by the ſaid Companies, or of any of the leaden or other Pipes which ſhall be laid into or from any of the ſaid Companies Pipes, which the ſaid Truſtees, or any Five or more of them, are hereby impowered to cauſe to be done, as often and in ſuch Places as they ſhall think proper; the ſame ſhall be paid out of the Monies ariſing by virtue of this Act within the ſaid Street, Lanes, and Way; and ſhall be done with as little Detriment or Incon-

Inconvenience to the said Companies and other Persons, as the Circumstances of the Case will admit of.

When Pipes burst, Surveyors to give Notice to Paviour of the Company to whom he apprehends they belong.

And be it further enacted by the Authority aforesaid, That when and so often as it shall happen that any Pipe or Pipes belonging to any Water Company shall break or burst in the said Street, Lanes, or Way, or either of them, the Surveyor to the said Trustees for the time being, or such other Person as the said Trustees, or any Five or more of them, shall appoint for that Purpose, shall give immediate Notice thereof to the Paviour of the Water Company to whom he apprehends such Pipe or Pipes does or do belong, and require him to take up the Pavement and open the Ground, at or near the Place where the Water shall or may issue by reason of such Pipe or Pipes breaking or bursting, within Four Days next after such Notice given to such Paviour, or left at his last or usual Place of Abode; and if upon taking up the Pavement, and opening the Ground, it shall appear that the Pipe or Pipes so broke or burst do not belong to the Water Company whose Paviour shall have taken up such Pavement and opened such Ground; that then and in such Case the Surveyor or other Person as aforesaid, shall give immediate Notice to the Paviour of that Company to whom it shall appear that the said Pipe or Pipes belong, such Notice to be given or left with such Paviour at his last or usual Place of Abode; and the Paviour of the Company to whom such Pipe or Pipes shall belong, is hereby required to repair the same, and fill in the Ground within Six Days after such Notice given or left as aforesaid; and also within Six Days after such Pipe shall be repaired and the Ground filled in, to give Notice to the Paviour or Paviours contracting with the said Trustees, or the Surveyor or other Person or Persons as aforesaid, of such Pipe or Pipes being repaired, and such Ground being filled in, or left at his or their last or usual Place of Abode; and in case it shall happen that the Paviour who first receives Notice to take up the Pavement and open the Ground for the Purposes aforesaid, shall take up such Pavement and open such Ground, and it shall then be discovered that the Pipe or Pipes which is, are, or shall be burst or broke, doth not or do not belong to the Company to whom he is Paviour; that then and in such Case, the Paviour of the Company to whom such Pipe or Pipes belong, shall make Satisfaction to the Paviour who so took up the Pavement, and opened such Ground for such Work; and in case the Paviour to whom such Notice shall be so given

If it prove that the Pipes do not belong to that Company, Notice to be given to the Company to whom it does belong;

who is to make good the same, and fill in the Ground, and give Notice to the Trustees Paviour.

Paviour of the Company to whom the Pipes belong, to satisfy the Paviour who opened the Ground.

given to take up ſuch Pavement and open ſuch Ground, ſhall neglect or refuſe to do the ſame, within the ſaid Six Days after ſuch Notice given, he ſhall, for every ſuch Offence, forfeit and pay the Sum of Twenty Shillings: And in caſe the Paviour of the Company, to whom ſuch Pipe or Pipes ſo broke or burſt ſhall belong, ſhall neglect or refuſe to repair and amend the ſame, and fill in the Ground ſo taken up, for the Space of Six Days next after ſuch Notice given, or ſhall neglect to give Notice to the Paviour contracting with the ſaid Truſtees, or to the Surveyor to the ſaid Truſtees, or to ſuch other Perſon or Perſons as aforeſaid, ſuch Paviour ſhall, for every ſuch Offence, forfeit the Sum of Twenty Shillings: And if the Perſon contracting with the ſaid Truſtees to relay ſuch Pavement ſo broke or taken up for the Reaſons aforeſaid, ſhall neglect or refuſe to relay ſuch Pavement, in a good, ſufficient, and effectual Manner, within Six Days after ſuch Notice given to him as aforeſaid, or if the Surveyor or other Perſon to whom ſuch Notice ſhall be given, ſhall neglect to acquaint the Contractor of ſuch Notice; then, and in every ſuch Caſe, the Perſon or Perſons ſo offending, ſhall, for every ſuch Offence, forfeit the Sum of Twenty Shillings.

Water Company's Paviours to give Notice to the Treaſurer of the Truſtees of their Names and Places of Abode.

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

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

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

And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall throw, caſt, lay, or drop, or cauſe or permit, or ſuffer, to be thrown, caſt, laid, or dropped, any Aſhes, Duſt, Dirt, Soil, or other Filth whatſoever, in the ſaid Street, Lanes, or Way, hereby directed to be paved, or in the Road included in the ſaid former Act, to the Annoyance thereof, upon Pain of forfeiting for every ſuch Offence the Sum of Five Shillings. Penalty on Perſons throwing Aſhes, &c. in the Street, &c.

And be it further enacted by the Authority aforeſaid, That if after the Twenty fourth Day of June, One thouſand ſeven hundred and ſixty ſeven, 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 Part of the ſaid Street, Lanes, or Way, 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 Part of the ſaid Street, Lanes, or Way, 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 the ſaid Street, Lanes, or Way, longer than is neceſſary for the loading or unloading thereof; then, and in every ſuch Caſe, any One of the ſaid Truſtees, or any Perſon to be by them, or any Five or more of them, appointed, ſhall and may ſeize the Stage 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, and the Harneſs or Gears thereunto belonging, and left as aforeſaid, and remove the ſame, or cauſe the ſame to be removed, to ſome convenient Place near thereunto, there to be kept 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 Five 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 Five Shillings and Charges paid, within the Space of Eight Days next after ſuch Seizure; it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, to cauſe the ſame to be ſold, and after deducting the ſaid Five Shillings and Charges, the Surplus ſhall be paid to the Owner or Owners of the Carriage, Horſe, Harneſs, or Gears, ſo ſeized. To prevent Annoyances by Waggons, &c.

And

To prevent Annoyances on Foot Pavements.

And be it further enacted, That if any Person or Persons shall for the future carry, run, drive, or draw, on any of the Foot Pavements within the said Street, Lanes, or Way, any Bier, or any Wheel or Wheels, Sledge, Wheelbarrow, or other Carriage whatsoever, or wilfully ride, lead, or drive, any Horse, Coach, or other Carriage, upon any Part of the Foot Pavements within the said Street, Lanes, or Way; then, and in any of the said Cases, it shall and may be lawful to and for any Person whatsoever, who shall see any such Offence committed, to secure the Offender, and also for any Person to assist in securing 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 or conveyed before some Justice of the Peace of the said County; 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; and if the Party or Parties accused shall be convicted of such Offence, either by his, her, or their own Confession, or upon such Information as aforesaid, he, she, or they, so convicted, shall, for every such Offence, forfeit and pay the Sum of Five Shillings.

Hoards may be erected by Permission.

Provided always, That it shall be lawful for any Person or Persons to erect or set up, or cause to be erected or set up, in the said Street, Lanes, or Way, any Hoard or Inclosure, Posts, Bars, or Rails, or other Matters or Things, for the Purpose of making Mortar, and depositing Bricks, Lime, or other Materials, for building or repairing any Houses, Buildings, or other Works; and that no such Hoard, Inclosure, or other Matters as aforesaid, shall extend more than Five Feet from the Kirb Stone placed on that Side of the Way, nor shall any Hoard or Inclosure, or other Matters as aforesaid, be suffered to continue for any longer Time than shall be really necessary for compleating the Works for which the same shall be erected or provided; and if any Person or Persons shall continue the same longer than as aforesaid, every such Person shall, for every such Offence, forfeit and pay a Sum not exceeding Five Shillings for every Twelve Hours such Inclosure, Matter, or Thing as aforesaid, shall remain and continue.

Obstruction by Gutters, &c. to be removed.

And be it further enacted, That from and after the Twenty fourth Day of June, One thousand seven hundred and sixty seven, the said Trustees, or any Five or more

more of them, ſhall and may, out of the Money to be raiſed by virtue of this Act, cauſe all Boards, Gutters, Benches, and other Things, occaſioning any Obſtruction or Annoyance in the ſaid Street, Lanes, or Way, to be removed or altered in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think proper; and that for the future all Spouts or Gutters ſhall be placed or fixed to the Fronts of the Houſes, Shops, Warehouſes, or Buildings, whereunto they reſpectively belong, and not otherwiſe: And if any Perſon or Perſons ſhall, at any Time hereafter, hang, place, erect, or build, any Board, Bench, Spout, or Gutter, or cauſe the ſame to be done in any other Manner than as aforeſaid, or ſhall, in any Manner, occaſion any Incroachment, Annoyance, or Inconvenience, in the ſaid Street, Lanes, or Way; every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Five Shillings for every Twelve Hours they ſhall continue.

And, for enabling the ſaid Truſtees effectually to pave, amend, and regulate, the ſaid Street, Lanes, and Way, be it further enacted by the Authority aforeſaid, That from and after the compleating the Pavement of the ſaid Street, Lanes, and Way, One or more Rate or Rates ſhall, Once in every Year, or oftener, if it ſhall be thought needful by the ſaid Truſtees, or any Five or more of them, be laid, made, and aſſeſſed, upon all and every Perſon and Perſons who do or ſhall inhabit, hold, occupy, poſſeſs, or enjoy, any Houſe, Shop, Warehouſe, Cellar, Vault, or other Tenement within the ſaid Street, Lanes, and Way reſpectively, in ſuch competent Sum and Sums of Money, as the ſaid Truſtees, or any Five or more of them, ſhall from time to time judge needful, ſo as ſuch Rates or Aſſeſſments do not exceed in the Whole the Sum of One Shilling in the Pound, in any One Year, of the yearly Rent or Value of each of ſuch Houſes, Shops, Warehouſes, Cellars, Vaults, or Tenements, reſpectively.

Divided Houſes how to be rated.

Provided always, and be it further enacted, That all and every Tenant and Tenants, Occupier or Occupiers, of ſuch Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, paying as aforeſaid, is and are hereby authorized to deduct and detain out of his, her, or their Rent, ſuch Proportion of ſuch Rates, as he, ſhe, or they, ſhall ſo reſpectively pay.

Clauſe for regulating the Rates.

Provided always, and be it enacted, That the firſt Rate made in purſuance of this Act, ſhall be to the Extent of One Shilling in the Pound for the enſuing or current Year, according to the annual Rent or Value of each of ſuch Houſes, Shops, Warehouſes, Cellars, Vaults,

Vaults, or Tenements respectively, and shall continue to be made in each successive Year, at the like Rate of One Shilling in the Pound during the Life-time of all the Persons to whom any Annuity or Annuities shall be granted by virtue of this Act, and shall not be lowered from One Shilling in the Pound, until after the Death of some One or more of the same Annuitants: But when, by the Decease of the said Annuitants, or any One or more of them, the whole Principal Sum advanced for the Purchase of the said Annuities by virtue of this Act, shall be reduced to One thousand one hundred Pounds, the said Rate shall not then exceed Eleven Pence Halfpenny in the Pound; and the same Rate shall, from time to time, be further lowered One Halfpenny in the Pound for every hundred Pounds that shall be sunk by the Death of any Annuitant or Annuitants, until the said Rate shall be lowered to Six Pence in the Pound: And in case the said Trustees, or any Five or more of them, shall, at any Time, think proper to lessen the Tolls by the said former Act directed to be taken, then the said Rate hereby authorized to be laid shall be lowered in Proportion with the said Tolls; all which Rates shall be signed by the said Trustees, or any Five or more of them, and shall be collected and recovered by such Person or Persons as the said Trustees, or any Five or more of them, shall, by Writing under their Hands and Seals, appoint; and the same shall be paid and accounted for in such and the same Manner, and subject to the like Penalties, as is and are directed and prescribed by the said former Act, with respect to the Tolls to be collected and accounted for: Provided, That the said Rates to be made by virtue of this Act, shall not commence, or take Effect, until the Quarter Day immediately preceding the Time when the whole Pavement to be done by virtue of this Act, throughout the said Street, Lanes, and Way respectively, shall be completed, nor begin to be collected until the Quarter Day next following: And if any Person shall refuse, neglect, or omit, to pay the Sum or Sums of Money which he, she, or they, shall be rated, for the Space of Fourteen Days after Demand thereof made of such Person or Persons; then, and in every such Case, it shall be lawful for the Collector or Collectors to complain to Two or more Justices of the Peace for the County of Middlesex, who are hereby authorized and required to issue a Warrant to cause such Defaulters to be summoned before them; and upon their not appearing, or not shewing Cause to the Satisfaction of the said Justices, against



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the Payment of ſuch Rate, it ſhall be lawful for ſuch Juſtices to iſſue their Warrant, impowering the ſaid Collector or Collectors to levy the ſame Rate by Diſtreſs and Sale of the Goods and Chattles of ſuch Perſon or Perſons ſo neglecting, refuſing, or omitting, to pay the ſame; rendering the Overplus, after deducting the ſaid Rate, and reaſonable Charges, on account of ſuch Diſtreſs and Sale, to the Owner of ſuch Goods and Chattles ſo diſtrained and ſold.

Tenants paying Rates, may deduct the ſame out of their Rent.

And whereas many Houſes within the ſaid Street, Lanes, and Way, are and may be, by the ſeveral Owners or Proprietors thereof, let out in Lodgings or Tenements to divers Tenants, whereby it will be difficult to rate the ſame, or to recover ſuch Rates when made; for Remedy whereof, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, from time to time, and at all Times when they meet to make a Rate in purſuance of this Act, to rate the Owner or Owners of ſuch Houſes or Tenements as ſhall be let to, or occupied by, Two or more Tenants; which Rate ſhall be paid by One or more of the Tenants or Occupiers of any Part or Parts of ſuch Houſes: And in caſe any Tenant or Occupier of any Part of ſuch Houſes or Tenements ſhall refuſe to pay the ſame, then the ſaid Rate ſhall be levied by Diſtreſs and Sale of the Goods of him, her, or them, ſo refuſing to pay the ſame, or of any other Goods or Chattles on the Premiſſes; rendering the reſpective Surpluſſes, after deducting the ſaid Rate and Charges of ſuch Diſtreſs and Sale, to the reſpective Owner or Owners of the Goods and Chattles ſo diſtrained: And the Occupier or Occupiers of ſuch Tenements reſpectively, is and are hereby required and authorized to pay ſuch Sum or Sums of Money as ſhall be ſo rated on the Owner or Owners of ſuch Houſes in purſuance of this Act, and to deduct the ſame out of the Rent thereof: And the ſaid Owner or Owners is and are hereby required to allow ſuch Deductions and Payments upon the Receipt of the Reſidue of their Rents; and every ſuch Tenant paying ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be acquitted and diſcharged for ſo much Money as the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall amount unto, as if the ſame had been actually paid to ſuch Perſon or Perſons to whom his, her, or their Rent ſhould have been due and payable; and in Default of Payment of the ſaid Rates or Aſſeſſments, the ſame ſhall be and remain a Charge upon the ſaid Premiſſes, and ſhall and may be recovered

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in like Manner of and from the Leaseholders, or Owners thereof respectively.

How Rates are to be paid for empty Houses, &c.

And be it enacted by the Authority aforesaid, That in case it shall so happen that any of the Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements, within the said Street, Lanes, or Way, or any or either of them, shall, at any Time after the making the said Rate or Rates, be empty, untenanted, or unoccupied, then; and in any such Case, One Half of the said Rate or Assessment shall be paid by the Owner or Owners of such Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements; and in case of Non-payment thereof, such Houses, Shops, Warehouses, Vaults, Cellars, or other Tenements, shall be, and the same are hereby made a Security for and chargeable with such Arrears.

Persons quitting without paying, to be followed.

And be it enacted by the Authority aforesaid, That where any Person or Persons, who hath or have been rated by virtue of this Act, shall quit his, her, or their Dwelling-house, Warehouse, Shop, Vault, Cellar, or Tenement, and remove out of the said County of Middlesex, before he, she, or they, shall have paid the Rate or Rates, and shall afterwards refuse to pay the same when due, and demanded by the said Collector or Collectors; that then, and in every such Case, it shall be lawful for the said Collector or Collectors, by a Warrant from any Two Justices of the Peace as aforesaid, and the said Receiver or Collector hath hereby Power to execute the said Warrant in the said other County, being first backed or countersigned by some Justice in the County, City, or Liberty, where the Distress is to be made, to seize the Goods and Chattles of such Person or Persons so neglecting or refusing, and the same to sell, rendering the Overplus (if any such shall be.)

Persons paying the Rates not liable to Expence of paving.

And be it further enacted, That all Persons paying the Rates by this Act laid within the said Street, Lanes, and Way respectively, shall be, and they and every of them is and are hereby exempted and discharged from the Charge and Expence of paving the same; and also from all Penalties which may or might be incurred by reason or means of their neglecting to pave the same; any Law, Statute, or Usage, to the contrary notwithstanding.

Money to be raised by Annuities,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons to contribute, advance, and pay, to the said Trustees, or to such Person or Persons as they, or any Five or more of them, shall appoint for that Purpose, any

any Sum or Sums of Money, not exceeding in the Whole the Sum of One thouſand five hundred Pounds, for the abſolute Purchaſe of One or more Annuity or Annuities, to be paid and payable during the natural Life of every ſuch Contributor, or the natural Life of ſuch other Perſon as ſhall be nominated by or on the Behalf of ſuch reſpective Contributor, at the Time of Payment of his or her reſpective Contribution-money; which Annuity or Annuities ſhall not exceed the Rate of Six Pounds per Annum to any Perſon, not being more than Forty five Years of Age; nor Eight Pounds per Annum to any Perſon being above the Age of Forty five, and not more than Sixty Years; nor Nine Pounds per Annum to any Perſon being above the Age of Sixty Years; nor Ten Pounds per Annum to any Perſon being above the Age of Seventy Years, for every One hundred Pounds, and ſo in Proportion for any greater or leſſer Sum to be advanced as aforeſaid; which Annuities ſhall be payable and paid in ſuch Place within the ſaid Pariſh of Saint Matthew Bethnal Green, as the ſaid Truſtees, or any Five or more of them, ſhall, from time to time, appoint, by Four Quarterly Payments, to begin and be made to the reſpective Purchaſers, or their Aſſigns, at the Expiration of the Firſt Quarter next after Payment of his or her reſpective Purchaſe-money; which Annuities ſhall be publickly ſold by the ſaid Truſtees, or any Five or more of them, at ſuch Time and Place as the ſaid Truſtees, or any Five or more of them, ſhall appoint, to the beſt Bidder for the ſame, on Twenty one Days Notice thereof being firſt given in ſuch of the publick News Papers as the ſaid Truſtees, or any Five or more of them, ſhall appoint; and alſo upon all the Turnpikes then erected on the Roads comprized in the ſaid former Act and this Act, ſignifying ſuch Intention; and the Money, ariſing by the Sale of ſuch Annuities, ſhall be applied for and towards paving and regulating the ſaid Street, Lanes, and Way, and to and for no other Uſe or Purpoſe whatſoever; and the ſaid Treaſurer, on Receipt of the Conſideration-money for each Annuity, ſhall give a Receipt to the reſpective Contributor.

Application of the Monies.

And be it further enacted by the Authority aforeſaid, That there ſhall be provided by the ſaid Truſtees One or more Book or Books, in which ſhall be fairly written, in Words at Length, the Names, proper Additions, and Places of Abode, of all ſuch Perſons as ſhall be Purchaſers of any of the ſaid reſpective Annuities, and of all Perſons by whoſe Hands the Purchaſers ſhall pay

Annuitants Names and Sum contributed to be entered in a Book.

in any Sum or Sums of Money; and also the Sum and Sums so paid for the Purchase of such Annuity or Annuities respectively, and the Day of the Payment thereof; and also an Account of the Interest that shall be paid to the said Annuitant or Annuitants from time to time, and by whom received; and that it shall and may be lawful for the said respective Purchasers, their Executors, Administrators, or Assigns, Agent or Agents, and to and for any Person or Persons paying to the Rates made by virtue of this Act, from time to time, and at all seasonable Times, to have recourse to and inspect the same without Fee or Reward.

Annuities charged upon the Rate and Tolls.

And be it further enacted by the Authority aforesaid, That the Annuities, so to be purchased, shall be, and are hereby charged upon the Rates to be made by virtue of this Act, together with the Tolls to be collected by virtue of this and the said former Act; and the Contributor or Contributors, duly paying the Consideration or Purchase-money for any such Annuities, or such Person or Persons as he, she, or they, shall appoint his, her, or their respective Assigns, shall have, without Fee or Reward, an Order on Vellum or Parchment signed by Five of the said Trustees, and a Receipt thereon from the Treasurer for the said Purchase-money, and witnessed by the Clerk; and shall have, receive, and enjoy, and by virtue of this Act be intitled to have, receive, and enjoy, the said Annuity or Annuities out of the said Rates and Tolls, during the Term of the natural Life of the Person to be nominated by each such Purchaser or Contributor in manner aforesaid: And that all and every such Purchaser and Purchasers, and his and their Assigns respectively, shall have good, sure, absolute, and indefeasible Personal Estate and Interest in the Annuities so by them respectively purchased, according to the true Meaning of this Act; and none of the aforesaid Annuities shall be subject or liable to the Tax charged upon Lands by Authority of Parliament, or any publick or parochial Tax.

Annuities may be assigned.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Purchaser or Purchasers of any such respective Annuity or Annuities, his, her, or their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his or her Hand and Seal, or their Hands and Seals (without any Stamp thereon) to assign such Annuity or Annuities, or any Part thereof, or Interest therein, to any Person or Persons whatsoever, and so toties quoties; and a Memorandum or Entry of all such Assignments,

and the Days the ſame were brought to be ſo entered, ſhall be made in a Book to be kept for that Purpoſe by the Clerk to the ſaid Truſtees; and the Perſon, to whom the Aſſignment is made, ſhall pay Two Shillings and Six Pence to the ſaid Clerk, and no more, for ſuch Entry; and the ſame Book ſhall and may, at all reaſonable Times, be inſpected gratis by any Perſons intereſted therein, but no ſuch Aſſignment ſhall be deemed good and effectual until ſuch Memorandum or Entry ſhall be made.

Contracts and Proceedings to be entered in Books.

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall cauſe all Contracts made with or by the Artificers and Workmen or others, employed in or about the ſaid Street, Lanes, and Way, and all Receipts, Payments, Debts, and Credits, and all Matters or Things relating thereto, to be fairly written and entered in a Book or Books to be provided for thoſe Purpoſes, which ſhall, from time to time, and at all convenient Times, be open to the Inſpection and Peruſal of all Perſons paying to the Rate made by virtue of this Act.

Truſtees may compound for Penalties upon Breach of Contracts,

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, from time to time, to compound and agree with any Perſon or Perſons againſt whom the ſaid Truſtees, or any Five or more of them, ſhall bring, or cauſe to be brought, any Action or Actions, Suit or Suits, for any Penalty or Penalties contained in any Contract or Contracts to be entered into on account of any Breach or Non-payment of any ſuch Contract or Contracts, for ſuch Sum or Sums of Money as they, or any Five or more of them, ſhall think proper; and may alſo mitigate, compound, or leſſen, any other the Forfeitures incurred under this Act, ſo as the Sum compounded and agreed for be not leſs than One Half of the Injury or Damage ſuſtained by the Breach or Non-performance of ſuch Contract or Contracts, and all the Coſts, Charges, and Expences, which ſhall be occaſioned thereby; and ſo as the Mitigation of the other Forfeitures as aforeſaid do not extend to remit above One Half of the ſaid Forfeitures reſpectively.

and mitigate Forfeitures.

Perſons aggrieved may appeal to Juſtices:

Provided always, and be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think himſelf or herſelf aggrieved, by any Thing done or omitted, or neglected or refuſed to be done in Purſuance of this Act, ſuch Perſon or Perſons may appeal to Two or more Juſtices of the Peace of the ſaid County

of

of Middleſex, who are hereby authorized to cauſe the Parties concerned to be convened before them, and to hear and determine the Matter of the ſaid Complaint, and, if they ſee juſt Cauſe, to order the Perſon ſo appealing to be relieved in ſuch Manner as they ſhall think proper: Provided always, That in caſe the Parties, or either of them, ſhall think themſelves or himſelf aggrieved or diſſatisfied with ſuch Determination, it ſhall be lawful for them or him to appeal to the Juſtices of the Peace at any General or Quarter Seſſion of the Peace to be held for the County or Place wherein the Cauſe of Complaint ſhall ariſe, and within Three Calendar Months after the Cauſe of ſuch Complaint ſhall have ariſen; ſuch Appellant firſt giving or cauſing to be given Ten Days Notice at the leaſt, in Writing, of his or her Intention to bring ſuch Appeal, and of the Matter thereof, to the Clerk or Treaſurer to the ſaid Truſtees, and within Five Days after ſuch Notice, entering into Recognizance before ſome Juſtice of the Peace for ſuch County or Place, with Two ſufficient Sureties, conditioned to try the Appeal at, and abide the Order of, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Seſſions; and the ſaid Juſtices at ſuch Seſſion, upon due Proof of ſuch Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Cauſes and Matter of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Parties appealing or appealed againſt, as they the ſaid Juſtices ſhall think proper, and the Determination of ſuch Seſſion ſhall be final, binding, and concluſive, to all Intents and Purpoſes.

If Parties are diſſatisfied with ſuch Determination, they may appeal to the Quarter Seſſions.

Charges of paſſing this Act to be firſt paid.

And be it further enacted by the Authority aforeſaid, That the Coſts and Charges in and about the obtaining and paſſing of this Act, ſhall be paid out of the Money raiſed by virtue of the ſaid former Act, or out of the firſt Monies to be raiſed by virtue of this Act.

Penalties and Forfeitures how to be recovered.

And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures by this Act impoſed, the Manner of levying and recovering whereof is not hereby otherwiſe particularly directed, ſhall be levied by Diſtreſs and Sale of the Offenders Goods and Chattles, by Warrant under the Hand and Seal of One or more Juſtice or Juſtices of the Peace of the ſaid County of Middleſex, upon the Confeſſion of the Party or Parties, or upon the Information of any One or more credible Witneſs or Witneſſes upon Oath; and the Penalties and Forfeitures when diſtrained, after rendering the Overplus (if any be) upon Demand, to the Party or

Parties

Parties whoſe Goods and Chattles ſhall be ſo diſtrained (the Charges of ſuch Diſtreſs and Sale being firſt deducted) ſhall be paid to the Treaſurer to the ſaid Truſtees, for the time being, and be applied towards the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be paid forthwith, it ſhall and may be lawful to and for ſuch Juſtice, and he is hereby authorized and required by Warrant under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the Houſe of Correction, there to remain without Bail or Mainprize, for any Time not exceeding One Calendar Month, nor leſs than Three Days, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges, ſhall be ſooner fully paid and ſatisfied.

Profecutors to be ſatisfied for their Trouble.

Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, from time to time, if they ſhall ſee Cauſe, to pay and apply ſuch Part of the ſaid Penalties and Forfeitures, or any of them, as they ſhall think proper, not exceeding Half of them, or any of them, to and for the Uſe of the Party or Parties employed in any ſuch Proſecution, as a Satisfaction for their Trouble and Loſs of Time; any thing herein contained to the contrary notwithſtanding.

Diſtreſs not to be deemed unlawful for want of Form,

nor the Parties diſtraining deemed Treſpaſſers *ab initio*.

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

Plaintiff not to recover, if Tender of Amends has been made.

Provided always, That no Plaintiff or Plaintiffs ſhall recover in any Action for any ſuch Irregularity, Treſpaſs, or other Proceedings, if Tender of ſufficient Amends ſhall be made by or on the Behalf of the Party or Parties who ſhall have committed, or cauſed to be committed, any ſuch Irregularity, Treſpaſs, or wrongful Proceeding, before ſuch Action brought: And in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful for the Defendant or Defendants in any ſuch Action, by

Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit, whereupon such Proceedings or Orders and Judgements shall be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Writings to be without Stamps.

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

No Victualler, &c. to hold any Place of Profit.

And be it further enacted, That no Victualler, or Retailer of Beer, Ale, Cyder, or Spirituous Liquors, shall hold any Place of Profit under the said former Act, or this Act.

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

And be it further enacted by the Authority aforesaid, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or other 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*.

Justices may administer Oaths.

And be it further enacted, That it shall be lawful for any Justice or Justices of the Peace to administer an Oath to any Person or Persons whatsoever, for the better Discovery and Execution of the several Matters and Things herein before or in the said former Act authorized and directed to be examined, inquired into, or determined, by such Justice or Justices respectively; and may mitigate or lessen any of the said Penalties or Forfeitures.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until Ten Days Notice thereof shall be given, in Writing, to the Clerk or Treasurer to the said Trustees by the Party aggrieved, 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 Suit shall be so brought; and every such Action shall be brought, laid,

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

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

FINIS.