Anno ſeptimo

Georgii III. Regis.

An Act for paving the Streets and other Places in that Part of the Pariſh of Saint *Botolph Aldgate* which lies in the County of *Middleſex*, and Part of a Street called *Eaſt Smithfield* in the Precinct of Saint *Catherine*; and for cleanſing, lighting, and watching the ſame, and preventing Obſtructions and Annoyances therein.



WHEREAS the ſeveral Streets, Lanes, Alleys, and other Places, within that Part of the Pariſh of Saint Botolph Aldgate which lies in the County of Middleſex, and ſo much of a Street called Eaſt Smithfield as lies in the Precinct of Saint Catherine, near the Tower, are, in general, very ill paved and cleanſed, and are not duly lighted and watched; and the preſent Methods preſcribed by Law for paving, cleanſing, lighting, and watching the ſame, are ineffectual for thoſe Purpoſes: But if Power was given to new pave and regulate the ſaid Streets, Lanes, Alleys, and Places, and to preſerve the Pavements thereof for the future, and to cleanſe, light, and watch the ſame, and to remove all Nuiſances and Obſtructions therein, Preamble.

therein, and to prevent the ſame for the future, it would greatly tend to the Safety, Preſervation, and Advantage, of the Inhabitants of the ſaid Streets and other Places, and be of publick Utility: May it therefore pleaſe Your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That Sir John Hynde Cotton Baronet, Chriſtopher Scott Eſquire, William Stead Eſquire, Samuel Hawley Eſquire, Hugh Humſton Eſquire, Joſeph Hickman Eſquire, John Hirſt, Jaſper Clarke, James Mynde, Thomas Merriman, William Walker, John Freeman, Thomas Sanſum, William Hodgſon, John Hatterſley, Humphry Jackſon, Rawſon Aiſlabie, Edward Manby, Increaſe Beale, John Barefoot, Thomas Allen, William Rogers, Richard Wetherill, James Gilleſpy, John Bullock, John Trelawny, John Allday, John Scott, and Robert Dickſon, being Inhabitants within the Diſtrict and Places intended to be compriſed in this Act, ſhall be, and they, and their Succeſſors to be elected in manner herein after mentioned, are hereby appointed Commiſſioners for putting this Act in Execution: And in caſe of the Death of any of the above named Commiſſioners, or of their Removal out of the ſaid Diſtrict, or Refuſal to act, it ſhall be lawful for the ſurviving or remaining Commiſſioners, or any Five or more of them, from time to time, by Writing under their Hands and Seals, to elect One other Perſon inhabiting within the ſaid Diſtrict, to be a Commiſſioner in the Room and Stead of ſuch Commiſſioner ſo deceaſed, removed, or refuſing to act; but Ten Days publick Notice of the Time and Place of Meeting for every ſuch Election ſhall be given, by affixing the ſame in Writing upon the principal Door of the Pariſh Church of Saint Botolph Aldgate, and upon the Door of the Church within the ſaid Precinct of Saint Catherine; and every Perſon ſo elected, is hereby veſted with the ſame Powers for putting this Act in Execution, as the Perſon in whoſe Place he ſhall be choſen was veſted with.

Commiſſioners Names.

On Death, &c. of Commiſſioners, others to be choſen.

Notice to be given of ſuch Election.

And be it further enacted by the Authority aforeſaid, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, unleſs he ſhall be in his own Right, or in Right of his Wife, in the actual Poſſeſſion or Receipt of the Rents of Lands, Tenements, or Hereditaments, of the clear yearly Value of Twenty Pounds, or poſſeſſed of, or intitled to, a

Qualification of Commiſſioners.

Perſonal Eſtate of the Value of Five hundred Pounds: And if any Perſon not being ſo qualified ſhall preſume to act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds, to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record, by Action of Debt, or on the Caſe, or by Bill, Suit, or Information, together with Coſts of Suit, wherein no Eſſoin, Protection, or Wager of Law, or more than One Imparlance ſhall be allowed; and wherein the Proof of Qualification ſhall lie on the Perſon proſecuted; and it ſhall be ſufficient on the Part of the Proſecutor to prove that the Perſon ſo proſecuted had acted as a Commiſſioner in the Execution of this Act. Penalty on acting if not qualified.

And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Five or more of them, ſhall meet together at the Queſt Houſe, by Little Tower Hill, on the Second Monday after the paſſing of this Act, and ſhall then and there proceed to the putting of this Act in Execution; and ſhall then, or at the next or any future Meeting of the ſaid Commiſſioners, aſcertain and ſet down in Writing the Monies they ſhall adjudge neceſſary to be borrowed for the Purpoſes of this Act; and the ſaid Commiſſioners are hereby impowered to adjourn themſelves, from time to time, to ſuch Houſe or other convenient Place within that Part of the ſaid Pariſh of Saint Botolph Aldgate which lies in the County of Middleſex, as they ſhall think proper: And if, at any Meeting ſo appointed, there ſhall not appear a ſufficient Number of Commiſſioners to act, or adjourn to another Day; or in caſe the ſaid Commiſſioners ſo aſſembled ſhall omit, neglect, or refuſe, to adjourn themſelves; then, and in every ſuch Caſe, the Commiſſioners Clerk ſhall appoint a Meeting of the ſaid Commiſſioners, to be held within Ten Days after, and at the Place where the laſt Meeting was appointed to be held, Publick Notice whereof ſhall be given by affixing the ſame in Writing upon the Principal Door of the ſaid Pariſh Church of Saint Botolph Aldgate, and upon the Door of the Church within the ſaid Precinct of Saint Catherine, at leaſt Six Days before ſuch adjourned Meeting; and in caſe of the ſaid Clerk's making Default in giving ſuch Notice, then any Two of the ſaid Commiſſioners ſhall and may give the like Notice, and in Manner as aforeſaid: Provided always, that no Order or Determination of the ſaid Commiſſioners ſhall be valid, unleſs the ſame ſhall be made at a Meeting held in purſuance of this Act; nor ſhall any Commiſſioner hereby appointed, or Commiſſioners to meet at the *Queſt Houſe* at the Firſt Meeting, may afterwards adjourn, and meet as they ſhall think proper. If a ſufficient Number do not meet, the Clerk to appoint another Meeting. Notice to be given.

Commiſſioners not to act during the Time they enjoy any Place of Profit under the Act.

hereafter to be appointed, as aforeſaid, be capable of acting as ſuch during the Time he ſhall enjoy any Office of Profit by virtue of the Powers given by this Act, or have any Share or Intereſt in any Contract relating to the Execution thereof.

They may appoint Officers, &c.

And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Five or more of them, ſhall and may, by Writing under their Hands and Seals, at their Firſt or any ſubſequent Meeting held in purſuance of this Act, appoint One or more Clerk or Clerks, Surveyor or Surveyors, and ſuch other Officer or Officers, for the Execution of this Act, except a Collector or Collectors of the Rates by this Act impoſed, as they the ſaid Commiſſioners, or any Five or more of them, ſhall think proper; and, from time to time, remove him or them, and appoint others, as they ſhall find neceſſary or convenient; and by and out of the Monies to be raiſed by virtue of this Act, may and are hereby impowered to pay ſuch Salaries and Allowances to ſuch Officers, and to all other Perſons by them the ſaid Commiſſioners employed in the Execution of this Act, as they ſhall think reaſonable; and the ſaid Commiſſioners, or any Five or more of them, ſhall and may take ſuch Security for the due Execution of the reſpective Offices, by ſuch Perſon and Perſons as aforeſaid, as the ſaid Commiſſioners, or any Five or more of them, ſhall think proper: And ſuch Perſon or Perſons as is or are hereby made liable to pay the ſeveral Rates or Sums of Money hereby granted, ſhall pay the ſame to ſuch Perſon or Perſons as ſhall, from time to time, be appointed to collect and receive the ſame, as herein after mentioned; and all ſuch Officers and Perſons ſo to be appointed as aforeſaid ſhall, under their Hands, at ſuch Time and Times, and in ſuch Manner as the ſaid Commiſſioners, or any Five or more of them, ſhall direct, deliver to ſuch Commiſſioners true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act; and alſo of all the Monies which ſhall have been by ſuch Officer or Officers, and Perſon or Perſons reſpectively, received by virtue and for the Purpoſes of this Act, and how much thereof hath been paid and diſburſed, and for what Purpoſes, together with the proper Vouchers for ſuch Payments; and ſhall pay all ſuch Monies as ſhall remain in their reſpective Hands to the ſaid Commiſſioners, or any Five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint; and all the ſaid Officers and Perſons ſo accounting as aforeſaid ſhall, upon Oath,

and remove them, and appoint others, and allow them Salaries.

Officers to give Security.

To account,

if

if thereunto required (which Oath the ſaid Commiſſioners, or any Two or more of them, are hereby impowered and required to adminiſter) verify their ſaid Accounts: And if any ſuch Officer or Perſon ſhall not make and render, or ſhall refuſe to verify upon Oath, any ſuch Account, or to produce or deliver up the Vouchers relating to the ſame, or to make Payment as aforeſaid, or ſhall not deliver to the ſaid Commiſſioners, or any Five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint, within Ten Days after being thereunto required by any Five or more of ſuch Commiſſioners, all Books, Papers, and Writings, in his Cuſtody or Power, relating to the Execution of this Act, or ſhall refuſe or neglect to pay ſuch Monies as, upon the Balance of any Account or Accounts, ſhall appear to be in their reſpective Hands, to the ſaid Commiſſioners, or any Five or more of them, or as they ſhall direct or appoint; then, and in either of the Caſes aforeſaid, ſuch Commiſſioners, or any Five or more of them, may, and are hereby authorized and impowered to bring, or cauſe to be brought, any Action or Actions in the Names of ſuch Commiſſioners, or in the Names of any Three or more of them, againſt the Officer or Officers, Perſon or Perſons, ſo neglecting or refuſing as aforeſaid, in order for the Recovery of the Monies that ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons reſpectively; or if Complaint ſhall be made by the ſaid Commiſſioners, or by any Five or more of them, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Refuſal or Neglect as aforeſaid, to any Two or more of the Juſtices of the Peace for the County or Place wherein ſuch Officer or Officers, Perſon or Perſons, ſo neglecting or refuſing, ſhall be and reſide, ſuch Juſtices may, and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cauſe the Officer or Officers, Perſon or Perſons, ſo refuſing or neglecting, to be brought before them, and upon his and their appearing, or not being to be found, to hear and determine the Matter in a ſummary Way; and if, upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes, upon Oath, it ſhall appear to ſuch Juſtices, that any of the Monies that ſhall have been collected or raiſed by virtue of this Act, ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons, ſuch Juſtices may, and are hereby authorized and required, upon Non-payment thereof, by a

and deliver up the Books, &c.

Warrant

Warrant or Warrants under their Hands and Seals, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattles of ſuch Officer or Officers, Perſon or Perſons, offending in the Premiſſes reſpectively: And if no Goods or Chattles of ſuch Officer or Officers, Perſon or Perſons, can be found, ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of diſtraining and ſelling the ſame; or in caſe it ſhall appear to ſuch Juſtices, by the Confeſſion of the ſaid Party ſo offending, or by the Teſtimony of any credible Witneſs, upon Oath, that any Books, Papers, or Writings, relating to the Execution of this Act, ſhall be in the Cuſtody or Power of any ſuch Officer, or Perſon or Perſons, and he or they ſhall refuſe to deliver the ſame as aforeſaid; then, and in either of the ſaid Caſes, ſuch Juſtices ſhall commit every ſuch Offender to the Common Goal of the County or Place where ſuch Offender ſhall be and reſide, there to remain, without Bail or Mainprize, until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Commiſſioners, or any Five or more of them, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint; which Compoſition the ſaid Commiſſioners, or any Five or more of them, are hereby impowered to make; and until he ſhall deliver up ſuch Books, Papers, and Writings, as aforeſaid, or give Satisfaction in reſpect thereof to the ſaid Commiſſioners, or any Five or more of them: Provided always, That no Perſon, who ſhall be committed on account of his having no Goods or Chattles, ſhall be detained in Priſon for any Term longer than Six Months.

Officers taking any Reward, other than their Salaries,

And be it further enacted, That if any Perſon who as a Clerk, Surveyor, or any other Officer or Servant, ſhall be any Ways employed by the ſaid Commiſſioners in putting this Act, or any the Powers thereof, in Execution, ſhall exact, take, or accept, any Fee or Reward whatſoever, other than ſuch Salaries, Allowances, and Rewards, as ſhall be appointed, allowed, and approved of, by the ſaid Commiſſioners, or any Five or more of them, for or on account of any Thing done, or to be done, by virtue of this Act, or on any Account whatſoever relative to the putting this Act in Execution; or ſhall any Ways be concerned in Intereſt in any Bargain or Contract made, or to be made, by the ſaid Commiſſioners, or any of them, for the Purpoſes of putting this Act in Execution; every ſuch Perſon, ſo offending, ſhall

or being intereſted in any Bargain made by the Commiſſioners, are diſqualified from being employed under this Act, and forfeit alſo 100 *l.*

ſhall be incapable of ever ſerving or being employed under this Act, and ſhall, over and above, forfeit the Sum of One hundred Pounds to any Perſon or Perſons who ſhall ſue for the ſame by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record, within Six Calendar Months after the Offence committed; in which ſaid Suit no Eſſoin, Protection, or Wager of Law, nor more than One Imparlance, ſhall be allowed.

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

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

What Streets ſhall be firſt paved.

Provided always, and be it further enacted and declared, That the Pavements of the ſeveral Streets and Places called King Street, Queen Street, Roſemary Lane, and Eaſt Smithfield, ſhall be compleated previous to, and before, any other Street or Place within the ſaid Diſtrict, comprized in this Act, ſhall be begun to be paved.

Materials may be dug out of, or brought into, the Streets, &c.

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

Commiſſioners may make Contracts.

And be it further enacted, That the ſaid Commiſſioners, or any Five or more of them, may, and are hereby impowered, from time to time, at any of their ſaid Publick Meetings, as Occaſion ſhall require, to contract with any fit Perſon or Perſons for paving and keeping in Repair the ſaid Streets, Lanes, Alleys, and Places, above deſcribed, or any of them, and for cleanſing and lighting the ſame; which Contract and Contracts ſhall ſpecify the ſeveral Works to be done, and the Prices to

be paid for the ſame, and the Time or Times when the ſaid Works ſhall be compleated, and the Penalties to be ſuffered in caſe of Non-performance thereof, and ſhall be ſigned by the ſaid Commiſſioners, or any Five or more of them, and by the Perſon or Perſons contracting to perform ſuch Works; but previous to the making of any ſuch Contract Ten Days Notice ſhall be given in ſome Publick News Paper, expreſſing the Intention of the intended Contract, in order that any Perſon or Perſons, willing to undertake the ſame, may make Propoſals for that Purpoſe, to be offered and preſented to the ſaid Commiſſioners at a certain Time and Place in each Notice to be mentioned.

Property of all Materials veſted in the Commiſſioners.

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

Penalty on ſtealing or injuring the Materials,

and on damaging or extinguiſhing Lamps.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall wilfully break, throw down, or otherwiſe damage, any of the Lamps which ſhall be erected by the ſaid Commiſſioners, or any of the Poſts, Irons, or other Furniture thereof, or extinguiſh any of the ſaid Lamps when lighted; it ſhall and may be lawful to and for any One or more Juſtice or Juſtices of the Peace acting in and for the County or Place where ſuch Offender or Offenders ſhall be and reſide, and he and they is and are hereby required, upon Oath made of the Commiſſion of any ſuch Offence, to iſſue a Warrant or Warrants for apprehending the Party or Parties accuſed; or it ſhall be lawful for any Perſon or Perſons whatſoever, who ſhall ſee ſuch Offence committed, to apprehend, as alſo for any other Perſon or Perſons to aſſiſt in apprehending, the Offender or Offenders, and by Authority of this Act, and without any other Warrant, to convey him, her, or them, or to deliver him, her, or them, into the Cuſtody of a Peace Officer, in order to be ſecured and conveyed before ſome Juſtice

Juſtice of the Peace for the County or Place where ſuch Offence ſhall happen, to be dealt with as hereinafter is directed; and the Party or Parties accuſed being brought before any ſuch Juſtice, or Oath being made before him that ſuch Party or Parties cannot be found and apprehended, ſuch Juſtice ſhall proceed to examine, upon Oath, any Witneſs or Witneſſes who ſhall appear, or be produced, to give Information touching ſuch Offence; and if the Party or Parties accuſed ſhall be convicted of ſuch Offence, either by his, her, or their own Confeſſion, or upon ſuch Information as aforeſaid, he, ſhe, or they, ſo convicted, ſhall, for the Firſt Offence reſpectively, forfeit the Sum of Ten Shillings for each Lamp ſo broken, thrown down, damaged, or extinguiſhed, as aforeſaid; and for the Second Offence, the Sum of Fifteen Shillings; and for the Third and every ſubſequent Offence, the Sum of Twenty Shillings; and full Satisfaction ſhall alſo be made to the ſaid Commiſſioners, or to their Surveyor, by ſuch Offender or Offenders, for the Damage ſo by him, her, or them, done as aforeſaid: And in caſe ſuch Offender or Offenders, ſhall not, upon Conviction, pay ſuch Forfeiture by him, her, or them, incurred, and make ſuch Satisfaction as aforeſaid; the Juſtice, before whom ſuch Offender or Offenders ſhall be convicted, is hereby required to commit him, her, or them, to the Common Gaol, or Houſe of Correction, for the ſaid County or Place, there to be kept to hard Labour for any Time not exceeding Three Calendar Months; and ſuch Offender or Offenders ſhall not be diſcharged before the Expiration of the Time for which he, ſhe, or they, ſhall be committed, unleſs ſuch Forfeiture and Satisfaction ſhall be ſooner paid and given; and One Moiety of the ſaid reſpective Forfeitures, when recovered, ſhall be paid to the Informer or Informers, and the other Moiety ſhall be applied for the Purpoſes of this Act: And if any Perſon ſhall negligently or accidentally break, throw down, or otherwiſe Damage, any of the ſaid Lamps, or any of the Poſts, Irons, or other Furniture thereof, and ſhall not, upon Demand, make Satisfaction to the ſaid Commiſſioners, or any Five or more of them, or to their Surveyor, for the Damage by ſuch Perſon done as aforeſaid; it ſhall be lawful for any Juſtice of the Peace for the ſaid County or Place, and he is hereby required, upon Complaint to be made by any Five or more of the ſaid Commiſſioners, or by their Surveyor, to ſummon the Party complained of; and upon his or her

her Appearance, or making Default to appear, (Oath being made that the Party complained of was ſerved with ſuch Summons, or that the ſame was left at his or her Dwelling-houſe or Place of Abode, if known, or that he or ſhe could not be found,) ſuch Juſtice ſhall proceed to examine the Matter of the ſaid Complaint; and upon Proof thereof, either by the Confeſſion of the Party complained of, or by the Oath of One or more credible Witneſs or Witneſſes, ſhall award and order ſuch Satisfaction to be made by the Party complained of, for the Damage ſo by him or her done, as to ſuch Juſtice ſhall appear juſt and reaſonable; and ſhall cauſe the Sum ſo awarded (in caſe the ſame be not paid forthwith upon the making ſuch Award or Order) to be levied by Diſtreſs and Sale of the Offenders Goods and Chattles, rendering to him or her the Overplus (if any be) upon Demand, after the Charges of proſecuting ſuch Complaint, and of ſuch Diſtreſs and Sale, ſhall be deducted.

Penalty on interrupting Workmen.

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

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

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

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

And be it further enacted by the Authority aforeſaid, That when and ſo often as any Part of the Pavement of the ſaid Streets, Lanes, Alleys, or Places ſhall be taken up, for the Purpoſe of making, repairing, altering, cleanſing, or emptying, any Sewer, Vault, or Drain; or of laying, altering, or amending, any Water Pipe or Plug, or for any other Purpoſe whatſoever; the Perſon or Perſons ſo taking up ſuch Pavement, ſhall immediately give Notice thereof to the Surveyor or Clerk

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

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

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

give ſuch Notice to the Surveyor or Clerk to the Commiſſioners for putting this Act in Execution, as is before directed, ſhall neglect ſo to do, for the Space of Twenty four Hours after ſuch Pavement ſhall be ſo taken up; ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit and pay the Sum of Twenty Shillings.

Commiſſioners to pay for altering Pipes.

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

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

And be it further enacted by the Authority aforeſaid, That when and ſo often as it ſhall happen that any Pipe or Pipes belonging to any Water Company ſhall break or burſt in the ſaid Streets, Lanes, Alleys, or Places, or any of them; it ſhall and may be lawful to and for the Surveyor to the ſaid Commiſſioners for the time being, or ſuch other Perſon as the ſaid Commiſſioners, or any Five or more of them, ſhall appoint for that Purpoſe, to give immediate Notice thereof to the Paviour of the Water Company to whom he apprehends ſuch Pipe or Pipes does or do, or may belong, and require him to take up the Pavement, and open the Ground, at or near the Place where the Water ſhall or may iſſue by reaſon of ſuch Pipe or Pipes breaking or burſting, within Two Days next after ſuch Notice given to ſuch Paviour, or left at his laſt or uſual Place of Abode: And if, upon taking up the Pavement, and opening the Ground, it ſhall appear that the Pipe or Pipes ſo broke or burſt, do or doth 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 do or doth belong, ſuch Notice to be given or left with ſuch Paviour, or at his laſt or uſual Place of Abode; and the Paviour of the Company to whom

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

When compleated, Notice to be given Commiſſioners Paviours.

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

tice 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 the Firſt Offence, forfeit the Sum of Twenty Shillings, for the Second Offence, the Sum of Forty Shillings, and for the Third and every other Offence, the Sum of Three Pounds.

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

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

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

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

Courſe of Gutters to be turned, if neceſſary,

and Grates altered, &c.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, from time to time, to direct and cauſe the Courſe of any Gutter or Channel running in or through the ſaid Streets, Lanes, Alleys, or Places, or any of them, to be turned or altered in ſuch Manner as they ſhall think proper, and to direct the Grates already placed, or hereafter to be placed, over any Sewers, to be removed and replaced

in

in ſuch Manner, and at ſuch Place and Places, as they ſhall think moſt proper; all which ſhall, from time to time, be done at the Expence of the ſaid Commiſſioners, and paid for out of the Money ariſing by virtue of this Act; any Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

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

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

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

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

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

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

and paid by the Commiſſioners of Sewers.

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

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

Five Shillings; for the Second Offence, the Sum of Ten Shillings; and for the Third and every other Offence, the Sum of Twenty Shillings.

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

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

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

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall run, drive, draw, or cauſe to be run, driven, or drawn, on any Part of the Foot Pavements of the ſaid Streets or Lanes, or either of them, any Wheel or Wheels, Sledge, Wheelbarrow,

barrow, or any Carriage whatſoever; ſuch Perſon or Perſons ſhall forfeit, for the Firſt Offence, the Sum of Ten Shillings; for the Second Offence, the Sum of Twenty Shillings; and for the Third and every other Offence, the Sum of Forty Shillings.

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

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

Scavenger to be appointed yearly, and his Duty.

And be it further enacted, That the Commiſſioners for putting this Act in Execution, or any Five or more of them, ſhall yearly, and every Year, in the Month of June, nominate and appoint One or more Perſon or Perſons to be Scavenger or Scavengers, Cleanſer or Cleanſers, of the Streets, Lanes, Alleys, and other Places, within the ſaid Diſtrict comprized in this Act: And ſuch Perſon or Perſons ſhall, Twice in every Week, bring, or cauſe to be brought, convenient Carriages into all the ſaid Streets, Lanes, and other open Paſſages and Places, where ſuch Carriages can paſs; and at or before their Approach, by Bell, Horn, or Clapper, or otherwiſe by a loud Voice or Cry, ſhall give Notice to the Inhabitants of their Coming (and give the like Notice in every other of the ſaid Places into which the ſaid Carriages cannot paſs) and abide and ſtay at all the ſaid Places a convenient Time, ſo that the Perſons concerned reſpectively may bring forth their Soil, Aſhes, Rubbiſh, Dirt, Duſt, and Filth, to the ſaid Carriages; all which the ſaid Scavenger or Scavengers ſhall carry away, or cauſe to be carried away, gratis, upon pain of forfeiting Twenty Shillings for every ſuch Neglect (except

Penalty of their Neglect of Duty, &c.

cept all ſuch Rubbiſh, Earth, Duſt, Dirt, Filth, and Soil, as ſhall be occaſioned by building, repairing, or altering, any Houſe or Houſes, or any other Buildings;) which ſaid Rubbiſh, Earth, Duſt, and Soil, thereby occaſioned, ſhall, within the Space of Five Days after ſuch Building, Repairing, or Altering, is finiſhed, be carried away by the reſpective Owners or Occupiers of ſuch Houſes or Buildings reſpectively, as aforeſaid, upon pain of forfeiting and paying the Sum of Twenty Shillings for every Neglect; and the ſaid Commiſſioners, or any Five or more of them, ſhall and may, out of the Monies ariſing by this Act, make ſuch Allowance to the ſaid Scavenger or Scavengers, or other Perſon or Perſons aſſiſting in the cleanſing of the ſaid Streets, Lanes, Alleys, and other Places, as to ſuch Commiſſioners ſhall appear reaſonable.

and of Owners not removing the Rubbiſh, &c. occaſioned by Building.

Allowance to be made to the Scavenger.

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

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

making Satisfaction.

And be it further enacted, That the Perſon or Perſons ſo contracted with for cleanſing the ſaid Streets, Lanes, Alleys, and other Places, ſhall ſweep, clean, and carry away, or cauſe to be ſwept, cleanſed, and carried away, the Dirt and Soil in and out of all the Streets, Lanes, and other publick Places, within the ſaid Diſtrict comprized in this Act, Twice in every Week, upon pain of forfeiting Twenty Shillings for every Neglect therein.

Streets, &c. to be ſwept Twice in a Week.

And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons inhabiting within the ſaid Places, ſhall, from and after the Second Monday next after the paſſing of this Act, ſweep and clean, or cauſe to be ſwept and cleanſed, the Foot Paths before their reſpective Houſes, Buildings, and Walls, Once in every Day, between the Hours of Six and

Foot Pavements to be ſwept every Day, except *Sundays*.

Nine in the Forenoon (Sundays excepted) upon pain of forfeiting Five Shillings for every Neglect therein.

Commiſſioners to order the Number and Sort of Lamps to be ſet up, &c.

And be it further enacted, That the ſaid Commiſſioners, or any Five or more of them, ſhall and may, yearly and every Year, order, direct, and appoint, what Number and Sort of Lamps ſhall be erected or ſet up within the ſaid Streets, Lanes, Alleys, and other Places; and may appoint or contract with any Perſon or Perſons for ſuch Lamps (or find and provide the ſame themſelves, as they ſhall think fit) and alſo for the lighting, cleanſing, ſupplying, maintaining, and repairing, ſuch Lamps; and alſo, in like Manner, appoint what Number of Watchmen and Beadles they ſhall judge neceſſary or proper to be kept in the ſaid Diſtrict comprized in this Act for each Year, and nominate and elect ſuch honeſt and able-bodied Men to be employed in that Service, as they ſhall think beſt qualified for the ſame; and ſhall likewiſe direct and appoint in Writing, how and where the ſaid Lamps ſhall be placed, and at what Time, and how long, the ſaid Lamps ſhall be and continue lighted; as alſo where the ſeveral Watchmen ſhall be ſtationed, and in what Manner, and how often, they ſhall go their Rounds; how long they ſhall continue upon Duty, and what Sum or Sums of Money ſhall be paid to the Perſon or Perſons appointed or contracted with to light, maintain, and repair, the ſaid Lamps; and what Wages ſhall be allowed to ſuch Watchmen and Beadle or Beadles for their Attendance; and ſhall alſo order and direct what Number of Headboroughs ſhall attend every Night, and when the Conſtable or Conſtables ſhall attend, and in what Place or Places within the ſaid Diſtrict; and ſhall or may alſo hire, erect, or maintain, any proper Place or Places within the Limits aforeſaid, for the Reception of the ſaid Conſtables, Headboroughs, Beadles and Watchmen; and ſhall make all ſuch Orders and Regulations in Writing, as the Nature of each particular Service ſhall appear to them, or any Five or more of them, to require.

and the Number of Watchmen and Beadles, &c.

and of Headboroughs, &c.

Conſtables, Headboroughs, Watchmen, and Beadles Duty.

And be it further enacted, That from and after the ſaid Second Monday after the paſſing of this Act, the ſaid Conſtable or Headborough, Conſtables or Headboroughs, or their ſufficient Deputy or Deputies, to be approved of as aforeſaid, ſhall attend every Night by Turns; and they, and the ſaid Watchmen and Beadles, ſhall keep Watch and Ward within the ſaid Places, for ſuch reſpective Times, and in ſuch Manner, as ſhall be, from time to time, appointed by the ſaid Commiſſioners, or any Five

or

or more of them; and ſhall, in their reſpective Turns and Courſes of Watching, uſe their beſt Endeavours to prevent all Miſchiefs happening by Fires, and all Murders, Burglaries, Robberies, Breaches of the King's Peace, and all other Outrages and Diſorders; and to that End ſhall, and they are hereby jointly and ſeverally impowered and required, to arreſt, apprehend, and detain, in their Watch-houſe or Watch-houſes, or other convenient Place of Security, all Malefactors, Diſturbers of the King's Peace, and all ſuſpected Perſons, who ſhall be found wandering or misbehaving themſelves, and ſhall carry them, ſo ſoon as conveniently may be, before One or more Juſtice or Juſtices of the Peace for the County or Place where ſuch Offences ſhall be commited, to be examined and dealt with according to Law: And which ſaid Conſtable or Headborough, Conſtables and Headboroughs, or Deputy or Deputies, ſhall Twice, or oftener, at convenient Times, in every Night, go about the ſaid Diſtricts and Places, and take Notice whether all the Watchmen perform their Duty in their ſeveral Stations, according to ſuch Orders and Regulations as ſhall be made for that Purpoſe by the ſaid Commiſſioners, or any Five or more of them: And in caſe any Watchman ſhall misbehave himſelf, or neglect his Duty, the ſaid Conſtable or Conſtables, Headborough or Headboroughs, Deputy or Deputies, ſhall, as ſoon as conveniently may be, give Notice thereof to Two or more of the ſaid Commiſſioners for the time being, who are hereby authorized to ſuſpend ſuch Watchman from the Execution of his Office, and appoint another Perſon to officiate therein, until the next Meeting of the ſaid Commiſſioners; when the ſaid Commiſſioners, or One of them, who ſhall ſo have ſuſpended ſuch Watchman, ſhall acquaint the other Commiſſioners aſſembled at ſuch Meeting with the Complaint againſt ſuch Watchman, in order for the ſaid Commiſſioners to proceed to the Examination of the Offence; and ſuch Watchman ſhall be ſubject and liable to the Penalty of Five Shillings for each Neglect or Misbehaviour, and ſhall and may be diſcharged from the Execution of his Office, if the Commiſſioners ſo aſſembled, or any Five or more of them, ſhall think proper.

Watchmen to apprehend Malefactors.

Watchmen misbehaving, to be ſuſpended, &c.

And be it further enacted by the Authority aforeſaid, That if the ſaid Conſtable or Conſtables, Headborough or Headboroughs, Beadles, and other Perſons, or any of them, ſhall wilfully neglect to attend, in their Turn, to keep Watch and Ward, or ſhall not come to keep Watch

Penalty on Beadles, &c. neglecting Duty.

Watch and Ward in Manner, and during the Times, which ſhall be appointed by the ſaid Commiſſioners for their Attendance thereon, or ſhall depart from, or leave, keeping Watch and Ward during the reſpective Hours to be appointed by the ſaid Commiſſioners as aforeſaid for keeping the ſame, or ſhall otherwiſe neglect their Duty, or misbehave themſelves; the Perſons ſo offending ſhall reſpectively forfeit and pay, for every ſuch Neglect or Offence, any Sum not exceeding Twenty Shillings.

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

And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Five or more of them, may order and direct the Houſes within the ſaid Streets, Lanes, Alleys, and Places, or any of them, to be numbered with Figures placed or painted on the Doors thereof, or on ſuch other Part of the ſaid Houſes reſpectively as they the ſaid Commiſſioners, or any Five or more of them, ſhall think proper; and may alſo order and direct to be engraved, painted, or otherwiſe deſcribed, on a conſpicuous Part of ſome Houſe, or other Building, at or near the End or Corner of each Street, Lane, Alley, or Place, within the ſaid Diſtrict comprized in this Act reſpectively, the Names by which ſuch reſpective Street, Lane, Alley, or Place, ſo adjoining, is uſually or properly called or known: And if any Perſon or Perſons ſhall wilfully or maliciouſly deſtroy, injure, obliterate, or deface, any ſuch Number, Figure, Name, or Deſcription, or any Part thereof, or cauſe or procure the ſame to be done, and ſhall be convicted thereof by his or their own Confeſſion, or by the Oath of One or more credible Witneſs or Witneſſes, before One or more Juſtice or Juſtices of the Peace acting in or for the County or Place where ſuch Offence ſhall be committed; every ſuch Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of Forty Shillings.

Signs, &c. to be regulated.

And be it further enacted by the Authority aforeſaid, That from and after the ſaid Second Monday next after the paſſing of this Act, the ſaid Commiſſioners, or any Five or more of them, ſhall cauſe all Signs which then, or at any Time after, ſhall be placed or hung in any Part of the ſaid Streets, Lanes, Alleys, or Places, to be fixed or placed on the Fronts of ſuch Houſes reſpectively whereto the ſame ſhall belong; and alſo ſhall and may cauſe all Sign Irons, Poſts, Boards, Spouts, Gutters, Penthouſes, or other Things, occaſioning any Obſtruction or Annoyance in the ſaid Streets, to be removed

moved or altered, in ſuch Manner as the ſaid Commiſſioners, or any Five or more of them, ſhall think moſt proper and convenient; and that for the future all Signs, Boards, Spouts, or Gutters, ſhall be placed or fixed on the Fronts of the Houſes, Shops, Warehouſes, or Buildings, whereunto they reſpectively belong, and not otherwiſe; and if any Perſon or Perſons ſhall, at any Time hereafter, hang, place, erect, or build, any Sign, Sign Poſt or Iron, Board, Spout, or Gutter, or cauſe the ſame to be done in any other Manner than as aforeſaid, or ſhall in any Manner occaſion any Incroachment or Annoyance in the ſaid Streets, Lanes, Alleys, or Places, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Five Pounds.

Signs, &c. unuſed, to be returned.

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

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

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

missioners, from time to time, removed, fixed, placed, or altered, in such Manner and Form as shall be approved of by the said Commissioners, or any Five or more of them, or their Surveyor by their Direction.

And, for defraying the Charges and Expences of paving and repairing the said Streets, Lanes, Alleys, and other Places, or any of them; and of cleansing, lighting, and watching the same; and for preventing Annoyances and Incroachments therein, and for other the Purposes of this Act; be it further enacted by the Authority aforesaid, That from and after the passing of this Act, One or more Rate or Rates, Assessment or Assessments, shall Twice in every Year, or oftner, if it shall be thought needful by the said Commissioners, or any Five or more of them, be made, laid, and assessed, by the said Commissioners, or any Five or more of them, of and upon all and every Person and Persons who do or shall inhabit, hold, or occupy, any Land, House, Shop, Warehouse, Wharf, Cellar, Vault, or other Tenement, within the said Streets, Lanes, and Places respectively, within the said District comprized in this Act; and in such competent Sum and Sums of Money, as the said Commissioners, or any Five or more of them, shall yearly, and every Year, order and direct; so as such Rates or Assessments do not exceed in the Whole the Sum of Two Shillings in the Pound, in any One Year, of the yearly Rent or yearly Value of such Lands, Houses, Shops, Warehouses, Wharfs, Cellars, Vaults, or other Tenements, within the said Streets and Lanes respectively, nor more than Two Third Parts of such Rates or Assessments, in any One Year, of such yearly Rent, or yearly Value, within the Residue of the Districts comprized in this Act.

Rates.

Rates to be signed by Two Justices.

And be it further enacted by the Authority aforesaid, That all Rates made by virtue of this Act shall be allowed and signed by Two Justices of the Peace acting in and for the said County or Place, who are also hereby impowered and required to grant a Warrant or Warrants for collecting and levying the same; and the said Rates, after the same shall be so allowed and signed by the said Justices, shall be collected half yearly by such Person and Persons as shall be appointed annually to collect the same, in Manner herein after mentioned: And if any Person or Persons shall refuse, neglect, or omit to pay the Sum or Sums of Money which he, she, or they shall be rated or assessed, for the Space of Ten Days after Personal Demand made thereof, or Demand

Manner of Recovery.

mand in Writing, left at the Place of Abode or Occupation of ſuch Perſon or Perſons; then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Collector or Collectors, and he and they is and are hereby authorized and required to levy the Sum by Diſtreſs and Sale of the Goods and Chattles of ſuch Perſon or Perſons ſo neglecting, refuſing, or omitting to pay the ſame: And in caſe no ſuch Goods or Chattles can be found to be ſo diſtrained, or in caſe ſuch Goods and Chattles ſhall be locked up, or ſecured, or removed from the ſaid Collector or Collectors, ſo that he or they cannot diſtrain the ſame; then, and in either of the ſaid Caſes, upon Information thereof given to the ſaid Juſtices, or any Two Juſtices of the Peace for the ſaid County or Place, it ſhall and may be lawful for ſuch Juſtices, and they are hereby required to commit the Offender or Offenders to the Common Goal or Houſe of Correction for the County or Place where ſuch Offences ſhall be committed, there to remain without Bail or Mainprize for any Time not exceeding the Space of One Month, or until the Payment of ſuch Rate or Aſſeſſment, and reaſonable Charges occaſioned by the Non-payment thereof.

Where Houſes are let out in Tenements, Owners are to be aſſeſſed;

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

but Tenants to pay,

out

out of the Rent thereof; and the Owner or Owners, Proprietor or Proprietors thereof, are hereby required to allow ſuch Deductions and Payments upon the Receipt of the Reſidue of their Rents; and every ſuch Tenant paying ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be acquitted and diſcharged for ſo much Money as the ſaid 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, or ſhall be, due and payable.

who may deduct it out of their Rents.

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

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

Where Houſes ſhall be unoccupied,

Owners to be charged only One Half of the Rates,

and the Premiſſes remain a Security.

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

Dead Walls and void Spaces of Ground, may be rated.

And it is hereby further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, and they are hereby required, at ſuch Times as the Rates hereby directed ſhall be made, to rate all Dead Walls and void Spaces of Ground adjoining to the ſaid Streets, Lanes, and other Places, at ſuch Rate as the ſaid Commiſſioners, or any Five or more of them, ſhall judge reaſonable for every Yard,

running

running Meaſure, of ſuch Dead Walls and void Spaces of Ground, not exceeding the Rate of Six Pence per Yard.

And to the end the ſaid Rates may be more effectually collected and received, be it further enacted, That all and every Tenant or Tenants, Occupier or Occupiers, of Lands, Houſes, Shops, Warehouſes, Wharfs, Cellars, Vaults, or other Tenements, are and ſhall be liable to pay the Whole of ſuch Rates, when no Compoſition ſhall have been made as aforeſaid, to the Collector or Collectors to be appointed as herein after directed. Tenants and Occupiers to pay the Rates.

And be it further enacted by the Authority aforeſaid, That when any Perſon or Perſons, who hath or have been rated and aſſeſſed by virtue of this Act, ſhall quit his, her, or their Dwelling Houſe, Warehouſe, Wharf, Shop, Vault, Cellar, or Tenement, whereupon ſuch Rate or Aſſeſſment has been made, before he, ſhe, or they, ſhall have paid the ſame, and ſhall afterwards refuſe to pay the ſame when due and demanded by the Perſon or Perſons authorized and appointed to collect and receive the ſame; that then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Collector or Collectors, and every or any of them, by Warrant under the Hands and Seals of any Two or more Juſtices of the Peace acting in and for the ſaid County or Places (which Warrant the ſaid Juſtices are hereby authorized and required to grant) into any Place within their reſpective Juriſdictions, or out of the Limits thereof, ſuch Warrant being firſt backed or counter-ſigned by ſome Magiſtrate in the County, City, or Liberty, where the Diſtreſs is to be made, to diſtrain the Goods and Chattles of ſuch Perſon or Perſons ſo neglecting or refuſing, and the ſame to ſell, rendering the Overplus, (if any ſuch ſhall be) after deducting the reaſonable Charges and Expences of ſuch Diſtreſs and Sale, to the Owner of ſuch Goods and Chattles, demanding the ſame. Occupiers quitting without paying Rates, may be followed.

And be it further enacted, That all and every Perſon or Perſons paying the Rates and Aſſeſſments by this Act laid, within the Streets, Lanes, Alleys, and Places, lying and being within the Diſtrict comprized in this Act reſpectively, ſhall be, and they and every of them is and are hereby, exempted and diſcharged from all other Charges and Expences of paving, cleanſing, lighting, or watching the ſaid Streets, Lanes, Alleys, and Places, or any Part or Parts thereof, and all other Streets, Lanes, Alleys, and Places, within the reſpective Pa- Perſons paying this Rate, exempted.

riſdict, Precincts, or Liberties, wherein any Part of the ſaid Streets, Lanes, Alleys, and other Places, comprized within this Act, reſpectively are ſituate; and alſo from all Penalties which may or might be incurred by Reaſon or Means of their neglecting to pave, cleanſe, light, or watch, the ſame reſpectively; any Law, Statute, or Uſage, to the contrary notwithſtanding.

Former Rates to ceaſe,

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

but Arrears of former Rates ſtill recoverable.

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 Second Monday next after the Paſſing of this Act, 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 Second Monday next after the Paſſing of this Act, 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 hereinbefore contained to the contrary thereof in any wiſe notwithſtanding.

Agreement between Landlord and Tenant, touching the paving, &c.

Provided always, and be it further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall be deemed or taken to make void any Contract, Covenant,

Covenant, or Agreement, between Landlord and Tenant, touching or concerning the paving, lighting, or cleanſing, the ſaid Streets, Lanes, Alleys, and Places, any or any Part of them, or either of them; but that every Perſon who is now, by virtue of any ſuch Contract or Agreement, obliged to pave, keep in Repair, cleanſe, or light, any Part of the ſaid Streets, Lanes, Alleys, or Places, or any of them, ſhall, in lieu thereof, be obliged to pay the Rates hereby directed to be made and aſſeſſed, or ſo much thereof as ſhall by the ſaid Commiſſioners, or any Five or more of them, be deemed juſt and reaſonable, according to the true Meaning of ſuch Contract, Covenant, or Agreement, for and during ſuch Time as ſuch Contract, Covenant, or Agreement, ſhall remain in Force; and in caſe any Diſpute ſhall ariſe concerning ſuch Contract, Covenant, or Agreement, the ſaid Commiſſioners, or any Five or more of them, ſhall have Power, and they are hereby required to hear, and finally determined the ſame. Streets, &c. not vacated.

And be it further enacted, That the ſaid Commiſſioners, or any Five or more of them, and ſuch of the Inhabitants of that Part of the Pariſh of Saint Botolph Aldgate, which lies in the County of Middleſex as have a Right to meet for the Choice of Annual Officers within ſuch Part of the ſaid Pariſh, ſhall yearly, and every Year, appoint Two or more Perſons reſiding within that Part of the ſaid Pariſh of Saint Botolph Aldgate, to collect the ſaid Rates or Aſſeſſments, who ſhall take the ſaid Office and Duty upon them within the Space of Ten Days next after ſuch Rate or Aſſeſſment as aforeſaid ſhall be made and delivered, or tendered, to them: And in caſe any ſuch Perſon or Perſons ſhall refuſe or neglect ſo to do; every Perſon ſo refuſing or neglecting to take the ſaid Office and Duty upon him, and alſo every Perſon who ſhall be negligent in the Performance or Execution of his or their Duty, ſhall, for every ſuch Offence, forfeit and pay the Sum of Ten Pounds. Annual Collectors of the Rates to be choſen. 10*l.* Penalty on refuſing to execute the ſaid Office.

Provided nevertheleſs, That no Perſon ſhall be obliged to ſerve the ſaid Office of Collector oftner than Once in Ten Years. None liable to ſerve above Once in 10 Years.

And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons who ſhall collect or receive any Money by virtue of this Act for the Purpoſes aforeſaid, ſhall Once in Three Months at leaſt, and from time to time as often as he or they ſhall be thereunto required by the ſaid Commiſſioners, or any Five Collectors to account Quarterly, or oftener, if required,

Five or more of them, deliver, in Writing under his or their Hand or Hands, to the ſaid Commiſſioners, or any Five or more of them, or unto ſuch Perſon or Perſons as they ſhall appoint, a true and perfect Account, upon Oath, (which Oath the ſaid Commiſſioners, or any Two or more of them, are hereby impowered to adminiſter) of all ſuch Sum or Sums of Money as he or they hath or have collected or received, or which ſhall have been rated or aſſeſſed as aforeſaid, and not received; and of all other Matters and Things relating to his or their ſaid Office or Offices; and ſhall deliver in all Books, Papers, and Vouchers, relating thereto; and ſhall pay unto the ſaid Commiſſioners, or any Five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint, all the Monies remaining in his or their Hands: And if ſuch Perſon or Perſons ſhall refuſe or neglect to account in manner aforeſaid, or deliver ſuch Books, Papers, and Vouchers; it ſhall and may be lawful for any Two or more of his Majeſty's Juſtices of the Peace for the County or Place where the ſame ſhall have happened, to commit ſuch Perſon or Perſons to the Common Gaol of the ſaid County or Place, there to remain without Bail or Mainprize until he or they ſhall have made and delivered a true and perfect Account, and alſo delivered all ſuch Books and Papers remaining in his or their Hands: And in caſe the ſaid Perſon or Perſons ſhall refuſe or neglect to pay any Sum or Sums of Money collected or received by virtue of this Act, and which ſhall remain in his or their Hands as aforeſaid; it ſhall and may be lawful for any Two of the ſaid Juſtices, by Warrant, under their Hands and Seals, directed to ſuch Perſon or Perſons as the ſaid Commiſſioners, or any Five or more of them, ſhall appoint, to levy ſuch Sum or Sums of Money by Diſtreſs and Sale of the Goods and Chattles of ſuch Collector or Collectors, rendering the Overplus, (if any) after the Charges of ſuch Diſtreſs and Sale are deducted and paid; and for want of ſufficient Diſtreſs, to commit or cauſe ſuch Perſon or Perſons to be detained in the ſaid Common Gaol of the ſaid County or Place, by Warrant under the Hands and Seals of Two or more of the ſaid Juſtices, until he or they ſhall have paid over all the Monies in his or their Hands, or compounded for the ſame, and ſhall have paid ſuch Compoſition-money in manner aforeſaid; which Compoſition the ſaid Commiſſioners, or any Five or more of them, are hereby authorized and impowered to make and accept at a Meeting to be held for

and deliver up the Books and Vouchers,

and pay over the Balance then in their Hands to the Commiſſioners Order.

On Refuſal, to be committed.

Balance of Accounts may be levied by Diſtreſs and Sale;

and where Diſtreſs cannot be had, Party to be committed,

till Payment or Compoſition be made.

for that Purpoſe; Ten Days Notice whereof ſhall be firſt given in ſuch Manner as Publick Notice of Meetings in purſuance of this Act is herein before directed to be given. Notice of a Meeting to be given for that Purpoſe.

Provided alſo, and it is hereby enacted, That if any Collector or Collectors ſhall refuſe or neglect to take upon himſelf or themſelves the ſaid Office, or to execute the ſame when choſen and appointed, or ſhall remove out of the Diſtrict comprized in this Act, or for which he or they was, or were appointed, or ſhall die within the Year, or ſhall be guilty of any Neglect or Misbehaviour in the Performance of his or their Duty, or ſhall become inſolvent; then, in all, any, or each of the Caſes aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, and ſuch of the Inhabitants of that Part of the ſaid Pariſh of Saint Botolph which lies in the County of Middleſex as have a Right to meet for the choice of Officers as aforeſaid, at any intermediate Time of the Year, to nominate and appoint any other fit Perſon or Perſons, inhabiting within that Part of the ſaid Pariſh of Saint Botolph, to be Collector or Collectors of the ſaid Rates or Aſſeſſments for the remaining Part of the Year, in the Stead of him or them ſo refuſing, removing, dying, or guilty of Neglect or Misbehaviour, or becoming Inſolvent, as aforeſaid; and ſuch Perſon or Perſons ſo appointed, ſhall enter upon the Execution of the ſaid Office, within the Time before limited, and ſhall account and pay over the Monies in his or their Hands, under the like Pains and Penalties, Orders, and Rules, in all Reſpects, as ſuch preceding Collector or Collectors ought to have done by virtue of this Act; and if any Collector ſhall remove, as aforeſaid, he ſhall, before his Removal, deliver over to the ſaid Commiſſioners, or any Five or more of them, or to ſuch Perſon as they ſhall appoint, his Account, verified on Oath, as aforeſaid, with all Rates, Aſſeſſments, Books, Papers, Vouchers, Sum and Sums of Money, and other Things concerning his Office, under the like Pains and Penalties as are inflicted by this Act upon a Collector or Collectors refuſing or neglecting to account, when thereunto required by the ſaid Commiſſioners, or any Five or more of them; and if any Collector or Collectors ſhall die as aforeſaid, his or their Executors or Adminiſtrators ſhall, within Twenty one Days after his Deceaſe, deliver in to the Commiſſioners, or any Five or more of them, an Account of the

On Removal, Death, Miſbehaviour, or Inſolvency of Collector, a new one to be appointed.

Collector, before his Removal, to ſettle his Accounts, and deliver up his Papers.

Executors of Collectors to make Account and Payment within a certain Time,

Monies collected by ſuch Collector or Collectors; and ſhall alſo deliver all Books, Papers, and Things, concerning his Office, to the ſucceeding Collector or Collectors, or to ſuch other Perſon or Perſons as the ſaid Commiſſioners, or any Five or more of them, ſhall appoint; which Money, if any due, ſhall be paid by the Executors or Adminiſtrators of ſuch deceaſed Collector or Collectors, in Preference to and before any of his or their other Debts are paid or ſatisfied.

In Preference to other Debts.

In caſe of Collector becoming Inſolvent, the Money to be again aſſeſſed.

And it is hereby further enacted, That in caſe any Collector of the ſaid Rates or 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 by the ſaid Commiſſioners, or any Five or more of them, on the Streets, Lanes, Alleys, and Places, comprized within this Act, for which ſuch Perſon ſhall have been appointed Collector, 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.

Collectors diſqualified from acting as Commiſſioners.

Provided always, and be it enacted, That none of the Commiſſioners herein named, or who ſhall be hereafter choſen by virtue of this Act, ſhall act as a Commiſſioner, during ſuch Time as he or they ſhall execute the Office of Collector or Collectors of the Rates to be raiſed and levied purſuant to this Act.

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

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

Provided

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

And whereas the Money to be collected, by virtue of the Rates to be made in purſuance of this Act, will not be ſufficient for the ſpeedy carrying into Execution the Purpoſes aforeſaid; be it 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, or any Five or more of them, for the Uſes and Purpoſes in this Act mentioned, any Sum or Sums of Money, not exceeding in the Whole the Sum of Four thouſand five hundred 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 Contributor reſpectively, or the natural Life of ſuch other Perſon or Perſons as ſhall be nominated by or on the Behalf of ſuch Contributor or Contributors reſpectively, at the Time of Payment of his, her, or their reſpective Contribution-money, ſo as the ſaid Annuity or Annuities do not exceed the Rate of Nine Pounds by the Hundred, and ſo in Proportion for any greater or leſs Sum to be paid as aforeſaid; and ſo as the ſaid Annuities to be purchaſed in purſuance of this Act, do not, at any One Time, exceed in the Whole the Sum of Four hundred and five Pounds. 4,500 *l.* may be advanced for the Purpoſes of Annuities.

And be it further enacted, That all and every the Annuity or Annuities ſo to be purchaſed under and by virtue of this Act, ſhall be, and are hereby charged upon, and ſhall be paid and payable, from time to time, out of the Monies ariſing by the Rates and Aſſeſſments as aforeſaid; and all and every the Contributor and Contributors, upon the Credit of this Act, duly paying the Conſideration or Purchaſe-money, at the Rate aforeſaid, for any ſuch Annuity or Annuities as aforeſaid, or his, her, or their reſpective Executors, Adminiſtrators, or Aſſigns, ſhall have, receive, and enjoy, and be entitled by virtue of this Act to have, receive, and enjoy, the reſpective Annuity or Annuities ſo to be purchaſed out of the ſaid Rates or Aſſeſſments by this Act appointed for the Payment thereof, as aforeſaid, during the Term of the natural Life of the Perſon to be nominated Annuities charged upon the Rates,

nated by each ſuch Purchaſer or Contributor as before-mentioned; and that all and every ſuch Purchaſer and Purchaſers, and their Executors, Adminiſtrators, or Aſſigns, ſhall have good, ſure, abſolute, and indefeaſible Eſtates and Intereſt in the Annuity or Annuities ſo by him, her, or them reſpectively to be purchaſed, according to the Tenor and true Meaning of this Act; and that none of the ſaid Annuities ſhall now or hereafter be ſubject or liable to the Tax charged or to be charged upon Land, by Authority of Parliament; and that every Contributor upon this Act, for the Purchaſe of any ſuch Annuity or Annuities as aforeſaid, his, her, or their Aſſigns, upon Payment of the Conſideration or Purchaſe-money, ſhall have a Receipt or Receipts for the ſame, and alſo an Order on Parchment (which may be made without any Stamp) for Payment of the ſaid Annuity or Annuities, for and during the natural Life of the Perſon who ſhall be ſo nominated as aforeſaid, by half-yearly Payments; which Order ſhall be ſigned by the ſaid Commiſſioners, or any Five or more of them, and after ſigning thereof, the ſame ſhall be firm, valid, and of good Effect in the Law, according to the true Purport and Meaning of this Act.

and deemed indefeaſible Eſtates,

not chargeable to the Land Tax.

Receipts and Orders for Payment, to be ſigned and given to the Contributors.

And be it further enacted, That it ſhall and may be lawful to and for any Purchaſer or Purchaſers of any ſuch Annuity or Annuities as aforeſaid, and his, her, or their Executors, Adminiſtrators, or Aſſigns, at any Time or Times, by Writing under his, her, or their Hand and Seal, or Hands and Seals, 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 Orders and Aſſignments ſhall be made in the Book, to be kept as hereafter-mentioned, at the Charge of the ſaid Commiſſioners; for which Entry or Memorandum Two Shillings and Six Pence ſhall be paid, and no more; and no ſuch Aſſignment ſhall be deemed valid, unleſs ſuch Memorandum or Entry ſhall be firſt made as aforeſaid.

Annuities may be aſſigned, *toties quoties.*

Provided always, That as ſuch Annuitant or Annuitants ſhall die off, and ſuch Rates or Aſſeſſments can be lowered and reduced, the ſame ſhall be ſo done in equal Proportions from time to time.

As Annuitants die, the Rates to be lowered.

And be it further enacted by the Authority aforeſaid, That all Monies raiſed or collected by virtue or by means, or under the Authority of this Act, ſhall be, and the ſame are hereby veſted in the ſaid Commiſſioners;

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

and

and all Monies raiſed or collected by virtue of this Act, ſhall be applied for the Purpoſes of this Act, and to and for no other Uſe or Purpoſe whatſoever.

Expences of paſſing this Act to be firſt paid.

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

Penalties may be mitigated.

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

Commiſſioners, who are Juſtices for *Middleſex*, and the Liberty of the Tower Without, may act.

And be it further enacted, That it ſhall and may be lawful to and for any Two Juſtices of the Peace for the County of Middleſex, or for any Two Juſtices for the Liberty of the Tower Without within the ſaid County, although ſuch Juſtices ſhall be Commiſſioners for the Purpoſes of this Act, to hear and determine any of the Offences ariſing within their reſpective Juriſdictions, which are made ſubject to and puniſhable by any pecuniary Penalties directed to be levied by virtue of this Act.

Perſons aggrieved may appeal to the Quarter Seſſions.

Provided always, and be it further enacted by the Authority aforeſaid, That if any Perſon ſhall think himſelf or herſelf aggrieved by any Thing done in purſuance of this Act, and for which no particular Method of Relief hath been already appointed; ſuch Perſon may appeal to the Juſtices of the Peace, at any General Quarter Seſſions of the Peace to be held for the County or Place wherein the Cauſe of Complaint ſhall ariſe, and within Three Calendar Months after the Cauſe of

ſuch Complaint ſhall have ariſen; ſuch Appellant firſt giving, or cauſing to be given, Twenty one Days Notice at the leaſt, in Writing, of his or her Intention to bring ſuch Appeal, and of the Matter thereof, to the Clerk to the ſaid Commiſſioners; and within Two Days after ſuch Notice, entering into a Recognizance before ſome Juſtice of the Peace for ſuch County or Place, with Two ſufficient Sureties, conditioned to try ſuch Appeal at, and abide the Order of, and to pay ſuch Coſts as ſhall be awarded by, the Juſtices at ſuch Quarter Seſſions; and the ſaid Juſtices, at ſuch Seſſion, upon due Proof of ſuch Notice being given as aforeſaid, and of the entering into ſuch Recognizances, ſhall hear, and finally determine the Cauſes and Matter of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Parties appealing, or appealed againſt, as they the ſaid Juſtices ſhall think proper; and the Determination of ſuch Quarter Seſſions ſhall be final, binding, and concluſive, to all Intents and Purpoſes.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures by this Act impoſed (the Manner of levying and recovering whereof is not hereby otherwiſe particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Offenders Goods and Chattles, by Warrant under the Hand and Seal of One Juſtice of the Peace acting in and for the ſaid County or Places, and within his proper Juriſdiction; which Warrant ſuch Juſtice is hereby impowered and required to grant, upon the Confeſſion of the Party or Parties, or upon the Information of any One or more credible Witneſs or Witneſſes upon Oath; 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 Clerk to the ſaid Commiſſioners for the time being, and be applied towards the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be paid forthwith, it ſhall and may be lawful to and for ſuch Juſtice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the Common Goal or Houſe of Correction of ſuch County or Place, there to remain without Bail or Mainprize, for any Time not exceeding Three Calendar Months, nor leſs than Fourteen Days, unleſs ſuch Penalties

halties and Forfeitures, and all reaſonable Charges, ſhall be ſooner fully paid and ſatisfied.

Commiſſioners may reward Informers.

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

Juſtices impowered to adminiſter Oaths.

And be it further enacted by the Authority aforeſaid, That in all Caſes where Cognizance is given to any Juſtice or Juſtices of the Peace by this Act, it ſhall be lawful for ſuch Juſtice or Juſtices to adminiſter an Oath to any Perſon, for his or their more certain Information in the Matters then depending.

Books to be kept for entering Commiſſioners Names, Aſſeſſments, Payments, and Annuitants, &c.

And be it further enacted, That a Book or Books ſhall be prepared and kept by the ſaid Commiſſioners, or by ſuch Peſon or Perſons as they, or any Five or more of them, ſhall appoint, wherein ſhall be fairly entered, from time to time, the Names of ſuch Perſons as they, or any Five or more of them, ſhall nominate and appoint to put in Execution the Purpoſes of this Act, and Copies of all Orders and Proceedings relating thereto; and alſo an Account of what Monies have been aſſeſſed, raiſed, levied, and paid, by virtue of this Act, and how the ſame ſhall have been applied, and the Names of the Annuitant or Annuitants; and what Sum or Sums he, ſhe, or they, paid for ſuch Annuity or Annuities reſpectively, and what he, ſhe, or they, is or are to receive for the ſame; which Book or Books the ſaid Annuitants, or any of them, and all Perſons contributing to the ſaid Rates or Aſſeſſments, may, at all convenient Times, peruſe and inſpect, without Fee or Reward.

which may be inſpected *gratis*.

Commiſſioners to defray their own Expences.

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

Diſtreſs not to be deemed unlawful for want of Form;

And be it further enacted by the Authority aforeſaid, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Default or Want of Form in any Proceedings relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer

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

or

or Trespassers ab initio, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the Special Damage in an Action on the Case.

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

Provided always, That no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity, Trespasses, 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 cause to be committed, any such Irregularity, Trespass, or wrongful Proceedings, before such Action brought: And in case no such Tender shall have been made, it shall 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 Stamp.

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

Proceedings to be entered in a Book.

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

Books may be read in Evidence.

Proceedings not to be quashed for want of Form,

And be it further enacted by the Authority aforesaid, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or other Matter or Thing to be done or transacted in, or relating to, the Execution of this Act, shall be vacated or quashed for want of Form; or be removed

moved 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. or removable by *Certiorari*.

And be it further enacted by the Authority aforeſaid, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, until Twenty one Days Notice ſhall be thereof given in Writing to the Clerk to the ſaid Commiſſioners, or after ſufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought; and every ſuch Action ſhall be brought, laid, and tried, in the County or Place where ſuch Matters and Things reſpectively ſhall be committed or done, and not in any other County or Place; and the Defendant or Defendants in ſuch Actions and Suits, and every of them, may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, at any Trial or Trials which ſhall be had thereupon, and that the Matter or Thing for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought, was done in purſuance, and by the Authority, of this Act; and if the ſaid Matter or Thing ſhall appear to have been ſo done, or if it ſhall appear that ſuch Action or Suit was brought before Twenty one Days Notice thereof given as aforeſaid, or that ſufficient Satisfaction was made or tendered as aforeſaid; or if any ſuch Action or Suit ſhall not be commenced within the Time before for that Purpoſe limited, or ſhall be laid in any other County or Place than as aforeſaid; then the Jury or Juries ſhall find for the Defendant or Defendants therein: And if a Verdict or Verdicts ſhall be found for ſuch Defendant or Defendants, or if the Plaintiff or Plaintiffs in ſuch Action or Actions, Suit or Suits, ſhall become nonſuited, or ſuffer a Diſcontinuance of ſuch Action or Actions, or if, upon any Demurrer or Demurrers in ſuch Action or Actions, Judgement ſhall be given for the Defendant or Defendants therein; then, and in either of the Caſes aforeſaid, ſuch Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame as any Defendant or Defendants may have for his, her, or their Coſts in any other Caſes by Law. Limitation of Actions. General Iſſue. Treble Coſts.

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

FINIS.
