Anno octavo

Georgii III. Regis.

CAP. XXI.

An Act for the better paving, cleanſing, and enlightening, the City of *London*, and the Liberties thereof, and for preventing Obſtructions and Annoyances within the ſame, and for other Purpoſes therein mentioned; and for repealing an Act made in the Sixth Year of His preſent Majeſty's Reign for thoſe Purpoſes.

WHEREAS by an Act paſſed in the Sixth Year of His preſent Majeſty's Reign, certain Commiſſioners are appointed for the better paving, cleanſing, and enlightening, the City of London, and the Liberties thereof, and for preventing Obſtructions and Annoyances within the ſame, and for other Purpoſes therein mentioned; and certain Powers are thereby granted to the ſaid Commiſſioners to enable them to carry the ſaid Act into Execution: And whereas the ſaid Act hath been found to be defective in many Reſpects, and further Powers have been found wanting, without which the good Purpoſes aforeſaid cannot be effectuated: Recites Act 6 *Geo* III.

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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 from and after the passing of this Act, the sole Power and Authority of pitching, paving, cleansing, and enlightening, the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, within the said City of London, and Liberties thereof, shall be and the same is hereby vested in the Mayor and Commonalty, and Citizens, of the said City, to be executed by such Persons as by the said Mayor, Aldermen, and Commons, of the said City, in Common Council assembled (by virtue and in pursuance of an Act of Parliament made in the Twenty second and Twenty third Years of the Reign of King Charles the Second, intituled, An Act for the better paving and cleansing the Streets and Sewers in and about the City of *London*) now are, or hereafter from time to time shall be, authorized and appointed by them, to be Commissioners of the Sewers for the said City and Liberties, or by any Seven or more of them; which said Persons, so from time to time authorized and appointed to be Commissioners of the Sewers for the said City and Liberties, shall be, and they are hereby constituted Commissioners for carrying this Act into Execution.

For vesting the Power of Paving in the Mayor, Commonalty, and Citizens, of *London*.

Proviso.

Provided always, and it is hereby further enacted, That the Authority of the said Commissioners for the time being shall in no wise be suspended or taken away, save by the Appointment from time to time of new Commissioners of the Sewers for the said City and Liberties.

Recorder and Common Serjeant of *London*, shall be Commissioners.

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

The Powers to be exercised by the major Part of the Commissioners present at any publick Meeting.

Provided also, and it is hereby further enacted and declared, That all the Powers and Authorities by this Act granted to, or vested in, the said Commissioners hereby constituted as aforesaid, shall and may, from time to time, be exercised by the major Part of such of them as shall attend at any publick Meeting of the said Commissioners, to be holden as herein after mentioned, the Number of the said Commissioners present at such publick Meeting, not being less than Seven (except for the Purpose of adjourning); and all Acts, Orders, and Proceedings, of the ma-

for Part of the said Commissioners present at such publick Meeting, shall have the same Force and Effect as if done or made by all the Commissioners constituted by this Act.

First publick Meeting.

And it is hereby further declared and enacted, That the First publick Meeting of the said Commissioners, to be had by virtue of and under this Act, shall be at such Time and Place as the Mayor of the said City shall think proper to order and appoint: And the said Mayor is hereby directed to order and appoint such First publick Meeting to be held on or before the First Day of April next, and to cause the said Commissioners to be summoned to attend the same.

Power to adjourn.

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

Proviso.

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

Mayor to appoint a publick Meeting.

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

Commissioners to appoint Clerks.

And it is hereby further enacted, That the said Commissioners shall and may, from time to time, at any of their said publick Meetings, elect and appoint One or more Clerk or Clerks, and One or more Surveyor or Surveyors, and also such and so many other Officers as they shall find necessary for the due Execution of this Act (Fourteen Days Notice of their Intention to proceed to such Election or Appointment having been first printed and published in Two or more of the Daily News Papers, and Notice thereof being also expressed in the Summons for such publick Meeting) and the said Commissioners shall take such Security as they shall think proper for the due Execution of such respective Offices; and shall and may, from time to time, remove

any of the said Officers at their Will and Pleasure, and appoint others in the Room of such as shall die, or be removed as aforesaid: And the said Commissioners shall and may, out of the Monies arising or to arise by virtue of this Act, appoint and pay such Salaries, Gratuities, and Allowances, as they shall judge reasonable, to such Officers, and to all such other Persons, as shall have been, or shall be employed in, or aiding and assisting about, the Execution of this Act.

To prevent Clerks, &c. taking any Fees.

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

For entering Proceedings.

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

Allowing Persons not free of the City to be employed.

And it is hereby further enacted, That the said Commissioners may, and they are hereby authorized and impowered, from time to time, to employ under them any

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

For giving Notice of Contracts.

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

No Member of the Common Council to be concerned in any Contract.

Provided alſo, and it is hereby further enacted, That no Perſon, being a Member of the Court of Common Council of the ſaid City, ſhall be directly or indirectly intereſted or concerned in any Contract which ſhall be made or entered into by or on Behalf of the ſaid Com-miſſioners, for or concerning any of the ſaid Works to be carried on or performed in purſuance of this Act, or for or concerning any Materials to be uſed or employed therein,

therein, upon Pain that every such Contract shall be null and void; and that the Person who, being a Member of the said Court, and shall be so interested or concerned therein, shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same; to be recovered in any of His Majesty's Courts of Record at Westminster, by Action of Debt, Bill, Plaint, or Information, to be commenced within Six Calendar Months next after the Offence committed; in which Action or Suit respectively, no Protection, Essoin, or Wager of Law, or more than One Imparlance, shall be allowed; and every Person against whom the said Penalty shall be recovered, shall, for ever thereafter, be disabled from being elected a Member of the said Court of Common Council.

For paving Streets.

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

For taking away Signs, Posts, &c.

And it is hereby further enacted, That the said Commissioners shall and may cause all Signs, or other Emblems, used to denote the Trade, Occupation, or Calling, of any Person or Persons, Sign-posts, Sign-irons, Pent-houses, Shew-boards, Spouts, and Gutters, projecting into any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, and all other Encroachments, Projections, and Annoyances whatsoever, within the said City or Liberties, to be taken down and removed; and shall cause all Signs, or other

Emblems

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Emblems, as aforesaid, Shew-boards, and Gutters, or such Parts thereof as they shall think fit, to be affixed or placed on the Fronts of the Houses, Shops, Warehouses, or Buildings, whereunto they respectively belong, or were before affixed, and not otherwise; and shall return, or cause to be returned, to the respective Owners, so much of such Signs, or other Emblems, Sign-posts, or other Posts, Sign-irons, Shew-boards, Spouts, and Gutters, as shall not be affixed or put up, or otherwise made use of, in the Alterations directed by this Act; and that, for the future, all Signs, Sign-boards, and Gutters, shall be placed or fixed on the Fronts of the Houses, Shops, Warehouses, or Buildings, to which they respectively belong, and not otherwise: And if any Person or Persons shall, at any Time hereafter, hang, place, erect, or build, any Sign, Sign-post, or other Post, Sign-iron, Pent-house, Shew-board, Spout, Gutter, or other Projection, Obstruction, or Annoyance, or cause the same to be done, contrary to the Direction aforesaid; every Person so offending shall, for every such Offence, forfeit and pay the Sum of Five Pounds, and the further Sum of Twenty Shillings for every Day such Offence shall continue.

Directing that Cranes shall be kept close to the Walls of Warehouses.

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

Directing that no Waggon shall stand in the Street above One Hour.

And, for the more speedy Removal of sundry Nuisances and Obstructions in the said City and Liberties, it is hereby further enacted, That if, after the Twenty fifth Day of March next, any common Stage Waggon or other Waggon, or any Cart, Dray, or other Carriage, shall, for the Purpose of loading or unloading the same, or any Part thereof, be suffered to stand or continue in any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, above the Space of One Hour at any One Time; or if any Cart, Waggon, Dray, or other Carriage, shall be placed and suffered to stand athwart or across any such Street, Lane, Square, Yard, Court, Alley, Passage, or Place, for the loading or unloading thereof, or for any other Purpose whatsoever;

ever; or if any such Cart, Waggon, Dray, or other Carriage, shall be suffered to stand or continue in any Part of such Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, longer than is necessary for the loading or unloading thereof; or if any Goods, Materials, or Things whatsoever, shall be laid or placed, and left in any such Street, Lane, Square, Yard, Court, Alley, Passage, or Place, so as to obstruct the free Passage thereof; then, and in every such Case, any One of the said Commissioners, or any One of their Officers to be by them appointed to remove Nusances, shall and may seize, or cause to be seized, the Stage Waggon, Cart, Waggon, Dray, or other Carriage, so placed, or suffered to stand or continue, contrary to the true Meaning of this Act, together with the Horse or Horses thereunto belonging, or the Goods, Materials, or Things, so laid or placed, and left as aforesaid, and remove the same, or cause the same to be removed, to the common Pound of the said City, commonly called The Green Yard, there to be kept and detained until the Owner or Owners thereof, or his, her, or their known Servant or Servants, shall and do claim the same, and pay to the Person or Persons in whose Custody the same shall then be, the Sum of Twenty Shillings, together with the Charges of removing and keeping the same; and in case the same shall not be claimed, and the said Sum of Twenty Shillings and Charges paid, within the Space of Three Days next after such Seizure, it shall and may be lawful to and for the said Commissioners to cause the same to be appraised and sold, and the Monies arising therefrom shall be applied to the Purposes of this Act.

For preventing Buildings or Enclosures in the Streets.

And it is hereby further enacted, That if any Person or Persons whatsoever shall erect or build, or cause to be erected or built, any Posts, Bars, Rails, Boards, or other Things, by way of Enclosure, for the Purpose of making Mortar, or depositing Bricks, Lime, or other Materials, for building or repairing any Houses, Buildings, or other Works, within the said City or Liberties, in any other Manner, or shall suffer the same to remain for any longer Time, than shall be necessary for such Building or Repairs; or shall lay any Rubbish within such Enclosure, or on the Outside thereof, or near thereto; and Complaint thereof shall be made to the said Commissioners by any Two Houlholders of the said City or Liberties, and the said Commissioners shall, upon View, or other due Proof of the Matter of the said Complaint, find the same to be true; then, and in every

every such Case, the Person or Persons erecting and building such Enclosure, and suffering the same to remain longer than shall be necessary as aforesaid, shall, for every such Offence, forfeit the Sum of Twenty Shillings; and moreover, it shall and may be lawful to and for the said Commissioners to cause such Enclosure or Erection to be pulled down and removed, and the Materials thereof, as also all Bricks, Mortar, Lime, or other valuable Things contained within the same, or thereto belonging, to be deposited in the Green Yard aforesaid, there to be kept and detained until the Owner or Owners thereof, or his, her, or their known Servant or Servants, shall and do pay, to the Person or Persons in whose Custody the same shall be, the Charges of pulling down and removing the same; and in case the same shall not be claimed, and the said Charges paid, within the Space of Eight Days next after such Seizure thereof, it shall and may be lawful to and for the said Commissioners to order the same to be appraised and sold, and the Money arising therefrom shall be applied to the Purposes of this Act: And the said Commissioners are further authorized to remove such Rubbish to such Place as they shall think convenient; and every Person laying such Rubbish, or causing or procuring the same to be laid, within or on the Outside, or near to such Enclosure, shall forfeit a Sum not exceeding Treble the Value of the Costs of removing the same.

No Lime to be slaked in the Streets, &c.

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

But not to restrain Bricklayers or Plaisterers to slake in the Cellars of Houses new building or repairing.

Provided always, That nothing herein contained shall be construed to restrain any Bricklayer or Plaisterer from slaking Lime within the Yards or Cellars of Houses which shall be new building or repairing, or within the Yards or Cellars belonging to the Dwelling-house of any such Bricklayer or Plaisterer, so that the Steam of such Lime be conveyed into and through the Chimney of such House respectively; and that no Lime be slaked in any Cellar or Yard after the Hour of Seven of the Clock in the Morning from Lady-day to Michaelmas, nor after the Hour of Eight of the Clock in the Morning from Michaelmas to Lady-day; and if any Lime shall be slaked contrary to the Directions of this Act, every

Person so offending shall, for each Offence, forfeit the Sum of Forty Shillings.

For preventing Damage being done to the Foot-pavements.

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

For fixing up the Name of Street, &c.

And it is hereby further enacted, That the said Commissioners shall and may cause to be painted, engraved, or described, in Stone, or otherwise, and to be affixed in a conspicuous Part of One or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance, of each of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, the Name by which each respective Street, Lane, Square, Yard, Court, Alley, Passage, or Place, is properly or usually called or known; and may also cause every House, Shop, or Warehouse, in each of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, to be marked or numbered in such Manner as they shall judge most proper for distinguish-

ing the same; and if any Person or Persons shall wilfully or maliciously destroy, pull down, obliterate, or deface, any such Names, Descriptions, Marks, or Numbers, or any Part thereof, or cause or procure the same to be done, every Person so offending shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

For preventing Alterations in the Form of the Streets.

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

Commissioners to fix the Places where Hackney Coaches are to stand or ply.

And whereas many Hackney Coaches have fixed their Stands, and do ply at improper Places, within the said City and Liberties thereof, whereby great Obstructions and Annoyances are occasioned, and moreover, Persons wanting to hire such Coaches, are frequently obliged to fetch the same from inconvenient Distances: And whereas it would be of great Benefit to the said City, as well as of Convenience to Persons having Occasion to hire such Coaches, if the said Commissioners were vested with the Power of fixing the Stands thereof at more proper Places, be it therefore enacted, That from and after the passing of this Act it shall and may be lawful to and for the said Commissioners, from time to time, by Writing under their Hands and Seals, or the Hands and Seals of Three or more of them, to be publickly affixed in some conspicuous Part of the Guildhall of the said City, to direct and order at what Place or Places respectively, within the said City, and the Liberties thereof, any Hackney Coach or Coaches shall stand and be plied, and how many Coaches shall be plied at each Stand; and if the Driver of any such Coach or Coaches shall suffer the same to stand, and

shall ply at any other Place or Places than according to the Order and Directions of the said Commissioners, to be notified as aforesaid; or if any Driver shall suffer any such Coach or Coaches to be and continue at or upon any Stands, after the Number allowed by the said Commissioners to stand and be plied at the same Stands respectively shall be complete; then the Owner or Driver of every such Coach or Coaches shall, for every such Offence, forfeit and pay the Sum of Ten Shillings.

For repairing bad Pavements.

And it is hereby further enacted, That after the Expiration of Twelve Calendar Months next after the passing of this Act, if any Two Housekeepers within the said City and Liberties shall make Complaint in Writing, under their Hands, to the said Commissioners, of any Defect, or Want of Repair, in any of the Pavements of any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, either before or after the same shall have been new paved or repaired by virtue of this Act; then, and in every such Case, the said Commissioners shall forthwith cause the Pavement so complained of to be inspected by their Surveyor; and if the same shall by him be found defective, and so reported to be to the said Commissioners, unless such Defect shall appear to arise from a Defect in the Water-pipes lying under such Pavement, they the said Commissioners shall forthwith give Orders to their Contractor or Contractors, Paviour or Paviours, to repair the same: And if the Contractor or Paviour of the said Commissioners, to whom such Order shall be given, shall not, within Four Days next after the Receipt thereof, repair the said defective Pavement; then, and in every such Case, the said Contractor or Paviour shall forfeit and pay the Sum of Twenty Shillings for every Day that the said defective Pavement shall remain unrepaired after the Expiration of the said Four Days.

For taking up Pavement when the Water Pipes are broken.

And it is hereby further enacted, That when and so often as any Pipe or Pipes, belonging to any of the Water Companies who furnish any Part of the said City and Liberties with Water, and which now lie, or shall hereafter be laid, under Ground, in any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, shall happen to break, burst, or decay, so as to require Reparation; the Surveyor of the said Commissioners for the time being, or such other Person or Persons as the said Commissioners shall appoint for that Purpose, shall forthwith give, or cause to be given, Notice thereof in Writing, to the Paviour of

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the Water Company to whom he apprehends the said Pipe or Pipes to belong; who is hereby required to take up the said Pavement, and open the Ground at or near the Place where such Reparation shall appear to be wanting: And if the said Paviour shall, upon taking up such Pavement, and opening such Ground, discover that the Pipe or Pipes so broken, burst, or decayed, does not, or do not, belong to the said Water Company whose Paviour he is; then, and in every such Case, he shall forthwith give, or cause to be given, Notice thereof, in Writing, to the Paviour of the Company to whom the said Pipe or Pipes shall appear to belong; in which Case such last-mentioned Paviour is hereby required, upon Demand, to make Satisfaction for the taking up such Pavement, and opening such Ground, to the Paviour giving Notice as aforesaid; and the Paviour of such Water Company, to whom the said Pipe or Pipes shall belong, is hereby required to cause or procure the said Pipe or Pipes to be repaired, and afterwards to fill up the said Ground, and ram down the same, within Two Days next after such Notice to him given; and as soon as such Pipe shall have been so repaired, and the Ground so filled up and rammed down, he shall give, or cause to be given, Notice thereof, in Writing, to the Paviour or Contractor for the time being of the said Commissioners: And if the Paviour of any of the said Water Companies, to or for whom such Notice shall be given, or left at his Place of Abode, shall, by the Space of Two Days next after the giving or leaving such Notice as aforesaid, refuse or neglect to take up such Pavement, and open such Ground; or if upon discovering that the Pipe or Pipes so broken, burst, or decayed, doth not, or do not, belong to the Company whose Paviour he is, he shall refuse or neglect to give immediate Notice thereof in Writing to the Paviour of the Company to whom the said Pipe or Pipes doth or do belong; or if the Paviour of the Water Company to whom such Pipe or Pipes shall belong, shall, by the Space of Two Days next after such Notice given to him, or left at his last Place of Abode, refuse or neglect to cause or procure such Pipe or Pipes to be amended and repaired, or afterwards to fill up the Ground so taken up, or to give such immediate Notice of his having so done, to the Paviour or Contractor of the said Commissioners for the time being; then, and in every such Case, the Person or Persons so respectively refusing or neglecting shall, for every such Offence, severally forfeit and pay the Sum of Five Pounds: And if any Pipe or Pipes not belonging

belonging to any of the Water Companies, shall happen to break, burst, or decay, as aforesaid, in any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places; then, and in every such Case, the respective Owner or Owners thereof shall forthwith cause the Ground over the same to be opened, and such Pipe or Pipes to be repaired, and Notice thereof in Writing to be given to the Clerk for the time being of the said Commissioners, or in case of Refusal or Neglect so to do, shall, for every such Offence, forfeit and pay the Sum of Five Pounds: And if any Pavement shall be broken or taken up for the Purpose of making, repairing, or altering, any Vault or Drain, or for any other Purpose whatsoever; then, and in every such Case, the Person or Persons so breaking or taking up the said Pavement, or causing the same to be so broken or taken up, shall, as soon as the Nature of the Work will permit, cause the Ground to be filled up, and Notice thereof in Writing to be given to the Clerk for the time being of the said Commissioners; or, in case of Refusal or Neglect so to do, shall, for every such Offence, forfeit and pay the Sum of Forty Shillings; and the said Clerk of the said Commissioners shall forthwith, upon every such Notice as aforesaid given to him, or left at his last Place of Abode, transmit such Notice, or cause the same to be transmitted, to the Paviour or Contractor of the said Commissioners for the time being; and if the said Clerk shall refuse or neglect, by the Space of Two Days next after any such Notice as aforesaid given to him, or left at his last Place of Abode, to transmit such Notice, or cause such Notice to be transmitted, to the said Paviour or Contractor for the time being of the said Commissioners; or if such Paviour or Contractor, to whom any such Notice as aforesaid shall be so transmitted, shall, by the Space of Two Days next after the transmitting of such Notice to him as aforesaid, refuse or neglect to relay and repair the Pavement so broken up; then, and in every such Case, the Person so refusing or neglecting shall forfeit and pay the Sum of Twenty Shillings for every Day such Pavement shall continue unrelayed or unrepaired after the Expiration of the said Two Days.

Where there is no fixed Paviour, Notice is to be left at the Company's Office.

Provided always, That if it shall happen that at any Time there shall be no regular or fixed Appointment of a Paviour of any of the Water Companies, in that Case such Notice as aforesaid shall be delivered to, or left at, the Office of the Clerk or Secretary of such Company respectively, who shall, in every such Case, be substituted

in the Room of such Paviors, to all the Intents and Purposes aforesaid.

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

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

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

Provided always, and it is hereby further enacted and declared, That the Charges and Expences of relaying the Pavement which shall be broken or taken up for the Purposes of repairing or amending any such Pipe or Pipes, shall be reimbursed and paid to the said Commissioners, or to such Person as they shall appoint to receive the same, by the Clerk or Treasurer for the time being of the respective Water Companies to whom such Pipe or Pipes shall belong; or if the same shall not belong to any of the said Water Companies, then by the respective Owner or Owners thereof; and the Charges and Expences of relaying the Pavement which shall be broken or taken up for the Purposes of new making, repairing, altering, cleansing, or emptying, any Sewer, Drain, or Vault, or of making any new or additional Grates, or of repairing and altering any old Grates, shall be defrayed and paid by and out of some Rate or Rates to be made or assessed by virtue or in pursuance of the said Act of the Twenty second and Twenty third Years of the Reign of King Charles the Second; or by the Person or Persons who shall take up the said Pavement, or any Part thereof, or cause the same to be taken up for any of the Purposes aforesaid: And if

such Clerk or Treasurer to any of the said Water Companies, or the respective Owner or Owners of such Pipe or Pipes, liable to reimburse and pay such Charges and Expences, shall refuse or neglect to pay the same within Ten Days next after Demand thereof, in Writing, signed by the Clerk of the said Commissioners, and left at their respective Dwelling-houses or last Places of Abode, together with a Bill to be annexed to such Demand, containing an Account of such Charges and Expences; then, and in every such Case, the Money so expended shall and may be recovered by the said Commissioners of and from the Person or Persons so liable thereto, by Action or Actions of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, in the Name of the Mayor and Commonalty, and Citizens, of the said City of London, to be commenced within Three Calendar Months next after such Demand respectively; in which Action or Suit no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Expence of Alteration of the Pipes to be defrayed out of the Monies of the Act.

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

For procuring Water in Times of Fire.

Names of the Turncocks to be delivered in.

And for the more easily obtaining of Water in Cases of Fire, it is hereby further enacted, That the several Water Companies, who shall supply any of the Inhabitants of the said City with Water, shall, from time to time, within the Space of Fourteen Days after the passing of this Act, or within Seven Days after the Appointment of any Turncock or Turncocks, give Notice, in Writing, to the said Commissioners, of the Names and Places of Abode of their respective Turncocks, distinguishing the Districts to which they respectively belong; and if any of the said Companies shall neglect to give such Notice within the Times aforesaid, they shall, for every such Neglect, forfeit the Sum of Forty Shillings; and the said Commissioners shall, and they are hereby required yearly to cause to be printed and distributed through every Ward within the said City and Liberties, to and amongst the several Housholders within

Penalty for every Neglect therein.

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the same, a List of the Names and Places of Abode of the several Turncocks of the District or Districts within which every such Ward respectively shall lie.

For watering the Streets.

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

For making Dust-holes, &c.

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

For cleansing Foot-ways.

And it is hereby further enacted, That every Occupier of any House or Tenement within the said City and Liberties, and (in respect of Houses lett to Inmates) every House Owner, shall Once in every Day, between the Hours of Eight and Ten of the Clock in the Forenoon

noon of each Day, ſcrape, ſweep, and cleanſe, the Foot-way all along the Front of their reſpective Houſes or Tenements, or cauſe the ſame to be ſcraped, ſwept, and cleanſed; and in Default thereof ſhall, for every ſuch Offence, forfeit and pay the Sum of Five Shillings.

For enlightening Streets.

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

For preventing the damaging, &c. of Lamps.

And it is hereby further enacted, That if any Perſon or Perſons ſhall wilfully take away, break, or throw down, or damage, any Lamp that now is or hereafter ſhall be ſet up for enlightening any of the ſaid Streets, Lanes, Squares, Yards, Courts, Alleys, Paſſages, and Places, or wilfully extinguiſh the Light or Lights within the ſame, or damage the Irons or other Furniture thereof; it ſhall and may be lawful to and for any Perſon or Perſons whatſoever, who ſhall ſee ſuch Offence committed, to ſeize, as alſo for any other Perſon or Perſons to aſſiſt in ſeizing, the Offender or Offenders; and by Authority of this Act, and without any other Warrant, to convey him, her, or them, or to deliver him, her, or them, into the Cuſtody of a Peace Officer, in order to be ſecured and conveyed before ſome Juſtice of the Peace of the ſaid City; and ſuch Juſtice ſhall proceed to examine, upon Oath, any Witneſs or Witneſſes who ſhall appear or be produced to give Information touching ſuch Offence (which Oath the ſaid Juſtice is hereby authorized and required to adminiſter) and if the Party or Parties accuſed ſhall be convicted of ſuch Offence, either by his, her, or their, own Confeſſion, or upon ſuch Information as aforeſaid, he, ſhe, or they, ſo convicted, ſhall forfeit and pay the Sum of Twenty Shillings for each Lamp ſo broken, thrown down, or damaged, or for every Light ſo extinguiſhed as aforeſaid; and moreover, ſhall make full Satisfaction to the ſaid Commiſſioners, or to ſuch Perſon as they ſhall appoint to receive the ſame, for the Damage ſo by him, her, or them, done as aforeſaid: And

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in case such Offender or Offenders shall not, on Conviction, pay such Forfeiture, and make such Satisfaction, as aforesaid, such Justice is hereby required to commit him, her, or them, to the Bridewell of the said City, there to be kept to hard Labour for any Space of Time not exceeding One Calendar Month; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they, shall be so committed, unless such Forfeiture and Satisfaction shall be sooner paid and given.

For Persons carelessly or accidentally breaking or damaging Lamps, &c.

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

For vesting the Property of the Pavements, &c. in the Mayor, &c.

And it is hereby further enacted by the Authority aforesaid, That the Property of the Pavements, which at the Time of passing this Act, or at any Time or Times thereafter, shall be within the said City or Liberties, and all Materials and Things used, or to be used, in or about the making or repairing thereof, shall be, and the same are hereby vested in the said Mayor and Commonalty and Citizens of the said City; and the said Commissioners are hereby authorized and impowered to bring, or cause to be brought, any Action or Actions, in the Name of the said Mayor and Commonalty and Citizens, or to prefer, or order the preferring of, Indictments, against any Person or Persons who shall steal, take, or carry away, any or any Part of such Materials or Things: And if any Person or

Persons shall wilfully or maliciously destroy, or otherwise damage or spoil, any of the said Materials or Things, or any of the Works done in pursuance of this Act, or any Part or Parts thereof; every Person or Persons so offending therein, and being thereof convicted, by the Oath or Oaths of One or more credible Witness or Witnesses, before any Justice of the Peace, shall, for every such Offence respectively, forfeit and pay the Sum of Twenty Shillings for the First Time of offending; and the Sum of Forty Shillings for the Second and every other Time of offending.

Directing the placing of Lamps.

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

For consolidating Rates.

And whereas it will be very convenient to the Inhabitants of the said City and Liberties, that the Rates and Assessments necessary for paving, cleansing, and enlightening, the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, and for preventing Annoyances therein, should be consolidated and made One joint and general Fund, to be collected together; be it enacted by the Authority aforesaid, That, from and after the passing of this Act, One or more Rate or Rates, Assessment or Assessments, shall, at such Time or Times as the said Commissioners shall think fit to order and direct, by Writing under their Hands and Seals, or the Hands and Seals of Seven or more of them, be made, laid, and assessed, in the several Wards of the said City, by the Aldermen or their Deputies respectively, and the major Part of the Common Council Men of each Ward, upon all and every Person and Persons who do or shall inhabit, hold, occupy, possess, or enjoy, any Land, House, Shop, Warehouse, Cellar, Vault, or other Tenement, within the said several Wards, and who, by the Laws now in being, are liable to be, and from time to time shall be, actually rated towards the Relief of the Poor in the respective Parishes where he, she, or they, shall respectively live or reside, for raising such competent Sum and Sums of Money as the said Commissioners shall from time to time judge needful and direct, so as such Rates or Assessments do not, in any One Year, exceed in the Whole the Sum of One Shilling and Six Pence in the Pound of the yearly Rents of such of the said Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements or Hereditaments respectively,

respectively, as shall be situate in any Street, Lane, Square, Yard, Court, Alley, Passage, or Place, actually begun to be new paved by virtue and in pursuance of this Act, and One Shilling in the Pound of the yearly Rents of such of the Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements, or Hereditaments respectively, as shall not be so situate; such Rates respectively to be from time to time ascertained by the Rates at which such respective Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements or Hereditaments, shall be from time to time assessed towards the Land Tax.

Directing in what Manner empty Houses shall be assessed.

And it is hereby further enacted, That if it shall happen that any of the Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements, within the said City and Liberties, shall, at the Time of making any of the said Rates or Assessments, be empty, untenanted, or unoccupied; then, and in every such Case, it shall and may be lawful to and for the Alderman of the Ward where such Premisses shall lie, or his Deputy, with the major Part of the Common Council Men of the said Ward, to rate and assess the said Premisses, at such Times as the said Commissioners shall direct, as aforesaid; and in such Case, as well as in case the said Premisses shall, after the making such Rate or Rates, Assessment or Assessments, become empty, untenanted, or unoccupied, One Half of such Rate or Assessment shall be charged on such Premisses respectively, and be paid by the first Tenant or Occupier thereof, who shall and may, and is hereby authorized to deduct and detain the same out of his or her Rent; and the Landlord, or Owner or Owners of such Premisses, is and are hereby required to allow such Deduction and Payment, upon the Receipt of the Residue of his, her, or their, respective Rents; and the said Tenant or Occupier shall be, and is hereby acquitted and discharged of and for so much of his or her Rent, as the Rate or Assessment so paid by him or her shall amount unto.

For assessing Houses lett out in Lodgings.

And whereas many Houses in several of the Wards of the said City are, by the several Landlords or Owners thereof, lett out in Lodgings or Tenements to divers Tenants, whereby it will be difficult to rate or assess the said Tenants in respect of such Houses, or to recover such Rates and Assessments when made; for Remedy whereof, be it enacted, That from and after the passing of this Act, it shall and may be lawful to and for the Alderman of each respective Ward, or his Deputy, with the major Part of the Common Council Men of the

the said Ward, at such Times as the said Commissioners shall direct as aforesaid, to rate and assess in every such Rate and Assessment as aforesaid, the Owner or Owners of all such Houses or Tenements, as shall be so lett to, or occupied by, Two or more Tenants (which Rate or Assessment shall be paid by the Occupier or Occupiers of any Part or Parts of such Houses or Tenements) and such Occupier or Occupiers of such Houses or Tenements is and are hereby authorized and required to pay such Sum and Sums of Money, as shall be so rated or assessed upon the Owner or Owners thereof, being duly demanded of such Occupier or Occupiers, and to deduct the same out of his, her, or their, respective Rents; and the Landlord, or Owner or Owners of such Houses or Tenements, is and are hereby required to allow such Deductions and Payments, upon the Receipt of the Residue of his, her, or their Rents; and every such Occupier, paying such Assessment or Assessments, shall be acquitted and discharged for so much of his or her Rent as the said Assessment or Assessments so paid by him or her shall amount unto, as if the same had been actually paid to the Person or Persons to whom his or her Rent shall be due and payable; and in Default of Payment of the said Rate or Rates, Assessment or Assessments, the same shall be and remain a Charge upon the said Premisses, and shall and may be recovered of and from the Landlord or Landlords, Owner or Owners thereof respectively, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, or within the said City, to be commenced and prosecuted by any Collector or Collectors to be appointed as herein after directed; in which Action or Suit, no Protection, Essoin, or Wager of Law, or more than One Imparlance, shall be allowed.

For Relief of Owners of large Warehouses, &c.

And whereas several Manufactures, Trades, Occupations, and Callings, necessarily take up, and require great Room, by reason whereof the Persons concerned therein are obliged to pay large Rents, and it may be a great and intolerable Hardship upon such Persons to be rated to the full Extent of their respective Rents towards the Purposes of this Act; and whereas it may be reasonable to excuse some Persons from the Payment of the aforesaid Rates and Assessments, in the Whole, or in Part, on account of their Poverty; for Relief therefore in such Cases, it is hereby further enacted and declared, That in any of the Cases aforesaid, any Person or Persons may apply to the said Commissioners,

by Petition, in Writing, setting forth the Circumstances of his, her, or their Case, giving Notice to the Alderman of the Ward wherein such Rate or Assessment shall have been made, or his Deputy, and such Petition shall be taken into Consideration by the said Commissioners at their next publick Meeting, of which the Alderman of the Ward, or his Deputy, shall have Special Notice; and if it shall then appear to the said Commissioners, upon hearing the said Petitioner or Petitioners, that the said Petitioner or Petitioners is or are intitled to Relief; it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and impowered, to award the said Petitioner or Petitioners such Relief as they the said Commissioners shall think just and reasonable.

Appeal to Court of Mayor and Aldermen.

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

For assessing Wharfs, Warehouses, Vaults or Cellars.

Provided always, and it is hereby further enacted, That no Person or Persons shall, in respect of any Wharf, or of any Warehouse, Vault, or Cellar, upon any Wharf, not fronting any Street or Lane, be rated or assessed, or be liable to pay more than Two Thirds of the Rates or Assessments herein before directed to be rated and assessed on Lands, Houses, Shops, Warehouses, Cellars, Vaults, and other Tenements, within the several Wards of the said City of London; any thing herein before contained to the contrary thereof in any wise notwithstanding.

For examining Books relating to the Poors Rates.

And, in order to ascertain the Rates and Assessments to be made by virtue of this Act, be it further enacted by the Authority aforesaid, That the several Aldermen of the said City, or their respective Deputies, shall and may, and they are hereby authorized and impowered, to cause any of the Books of Assessment of the Land Tax, within their respective Wards; and also any of the Books of Assessment of the Rates towards the Relief of the Poor, within the respective Parishes of the same Wards, to be brought before them, and to take Copies of such Books, or any Part thereof, as they shall think fit, without Fee or Reward; and if any Person or Persons,

sons, in whose Custody or Power any of the said Books shall be, shall refuse or neglect to attend the said Aldermen, or their Deputies, with such Book or Books, or to permit them to take Copies thereof, as aforesaid; then, and in every such Case, every Person who shall so refuse or neglect shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

For assessing Churches and other Publick Buildings, Meeting-houses and void Spaces of Ground.

And, for as much as it is reasonable that all Publick Buildings (Hospitals excepted) and all dead Walls, and void Spaces of Ground, should be rated and assessed in a due Proportion, towards the paving, cleansing, and enlightening, the said City, and the Liberties thereof, it is hereby further enacted, That it shall and may be lawful to and for the Alderman of each Ward, within the said City and Liberties, or his Deputy, with the major Part of the Common Council Men, and they are hereby required at such Times as the Rates and Assessments hereby directed to be made by Order of the said Commissioners as aforesaid, shall from time to time be made, to rate and assess towards the Purposes of this Act all Parish Churches, Church-yards, Chapels, and other Publick Buildings whatsoever, not charged to the Land Tax; as also all Meeting-houses, and all void Spaces of Ground, situate, lying, and being, within their Ward, other than and except the Cathedral Church of Saint Paul in London, and the Church-yards and Ground within the Iron Rails encompassing the said Cathedral Church, at such Rate as the Commissioners, by Writing under their Hands and Seals, or the Hands and Seals of any Seven or more of them, shall order and direct for every square Yard of such Churches, Church-yards, Chapels, and Publick Buildings, Meeting-houses, and void Spaces of Ground, not exceeding the Rate of Four Pence per square Yard; and also to rate and assess all dead Walls within their Wards, towards the Purposes aforesaid, at such Rate as the said Commissioners shall order and direct in Manner aforesaid, for every Yard running Measure of such dead Walls, not exceeding the Rate of Six Pence per Yard; such Rate or Rates, Assessment or Assessments, so to be, from time to time, made upon any Parish Church, Church-yard, or Chapel, to be paid by their respective Church or Chapel Wardens; and the Rate or Rates, Assessment or Assessments, so to be made, from time to time, upon any Meeting-house within the said City or Liberties, to be paid by the Minister and Deacons, or other Person usually officiating therein: And if such Church or Chapel Warden, Minister, Deacon,

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

Directing that Inns of Court shall be rated for the Purposes of this Act.

And be it further enacted, That it shall and may be lawful to and for the Alderman of Farringdon Ward Without, or his Deputy, with the major Part of the Common Council Men of the said Ward, and they are hereby required, from time to time, to rate and assess, in every such Rate and Assessment as aforesaid, the several Inns of Court and Chancery herein after named, in the several and respective Sums herein after mentioned, as a Composition for the Repairs of the Pavements which they have respectively sustained; that is to say, The Inner Temple, in the Sum of Two Pounds Two Shillings per Annum; the Middle Temple, in the Sum of Six Pounds Six Shillings per Annum; Serjeants Inn in Chancery Lane, in the Sum of Ten Pounds per Annum: And also to rate and assess the several Inns of Chancery herein after named, in the several and respective Sums herein after mentioned; that is to say, Staples Inn, in the Sum of Fourteen Pounds per Annum; Furnival's Inn, in the Sum of Twenty Pounds

per Annum; Barnard's Inn, in the Sum of Six Pounds per Annum; Clifford's Inn, in the Sum of Two Pounds Two Shillings per Annum: Which Rates or Assessments shall be paid by the Treasurer, Principal, or other proper Officer of the said Inns of Court and Inns of Chancery respectively; and in Default of Payment, may be sued for and recovered, in like Manner as the Rates and Assessments upon Parish Churches, Church-yards, and Chapels, are herein before directed to be sued for and recovered.

For assessing the Pavements belonging to the Cathedral Church of St. *Paul.*

And whereas the Pavement lying between the Fence of the Church-yard belonging to the Cathedral Church of Saint Paul, in the said City of London, and the Channels of the several Streets and Ways adjoining to, and surrounding, the said Church, contains Two thousand two hundred and forty square Yards; and the Charges and Expences of repairing, cleansing, and enlightening the same, is now paid out of the Interest and yearly Produce of the Surplus Money of certain Duties on Coal granted by divers Acts of Parliament, and vested in the Lord Archbishop of Canterbury, Lord Bishop of London, and Lord Mayor of the City of London, for the time being; be it hereby further enacted, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, and they are hereby required, when and at such Times as the Rates and Assessments hereby directed to be made shall, from time to time, be made, to rate and assess the said Cathedral Church, toward the Purposes of this Act, at such Rate as the said Commissioners, or any Seven or more of them, shall judge reasonable, not exceeding the Rate of One Shilling and Three Pence by the Year, for every square Yard of the said Pavement now kept in Repair, out of the Interest of such Trust-monies as aforesaid; and that such Rates or Assessments so to be, from time to time, made on the said Cathedral Church as aforesaid, shall be paid by the Lord Archbishop of Canterbury, Lord Bishop of London, and Lord Mayor of the said City of London, for the time being, or their Treasurer, or other proper Officer, out of the Interest and Produce of the said Surplus-monies so vested in them, upon the Trusts, and for the Purposes aforesaid.

Not to vacate any Agreement between Landlord and Tenant.

Provided always, and it is hereby further enacted, That nothing in this Act contained shall be deemed or taken to make void any Contract, Covenant, or Agreement, between Landlord and Tenant, touching or concerning the paving, cleansing, or enlightening, any or any

any Part of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, within the said City and Liberties, but that every such Landlord who is now, by virtue of any such Contract or Agreement, obliged to pave, keep in Repair, cleanse, or enlighten, any Part thereof, shall, in lieu thereof, pay or allow unto his, her, or their respective Tenant or Tenants, the Rate or Rates to be rated or assessed on such Tenant or Tenants respectively, or so much thereof as shall be just and reasonable, according to the true Meaning of such Contract, Covenant, or Agreement, for and during the Time of such Contract, Covenant, or Agreement, shall remain in Force; and in case any Dispute shall arise concerning such Contract, Covenant, or Agreement, the said Court of Mayor and Aldermen shall have Power to hear and finally determine the same.

For Recovery of Rates against any Persons who shall be liable to pay the same, becoming Bankrupts.

And be it further enacted, That if any Person or Persons, who shall be liable to pay any Rate or Assessment to be made by virtue or in pursuance of this Act, shall become a Bankrupt or Bankrupts before he, she, or they, shall have fully paid and satisfied all the Money then due and owing for such Rates and Assessments; then, and in every such Case, the Assignee or Assignees of his, her, or their Estate and Effects, or other Person or Persons possessing the same, shall, out of such Estate and Effects, after paying to the petitioning Creditor or Creditors his, her, or their Costs of suing out and prosecuting the Commission against any such Bankrupt or Bankrupts, in the next Place, pay unto the Chamberlain of the said City of London, for the time being, all such Sums of Money as were due for such Rates and Assessments at the Time of the suing out any such Commission against him, her, or them respectively, or so much thereof as the said Estate and Effects will extend to pay, and the Receipt of the said Chamberlain shall be a good Discharge for the said Money; and every Assignee or Assignees, or other Person as aforesaid, may, to any Action or Suit commenced or brought against him, her, or them, plead or give in Evidence the Payment of the same, and shall be allowed such Payment out of the Estate or Effects of such Bankrupt or Bankrupts, prior to any other Debt or Demand whatsoever (except as before is excepted) and in case of Non-payment of the same by the Space of One Calendar Month after the same shall be demanded, it shall and may be lawful to and for the said Commissioners to commence and prosecute One or more Action or Actions, Suit or Suits, for the same, in the Name of the Mayor and

Commonalty and Citizens of the said City, in any of His Majesty's Courts of Record at Westminster, or within the said City, against such Assignee or Assignees, or other Persons as aforesaid.

For making Duplicates of Rates.

And it is hereby further enacted, That the Alderman or his Deputy, and the major Part of the Common Council Men for the time being, in each Ward within the said City or Liberties, are hereby required to set down in Writing, and sign Two Duplicates of the Rates and Assessments which they shall, from time to time, make by virtue of this Act, for the Purposes aforesaid; in which shall be expressed the Names of the Collectors who shall be appointed to collect the same; One of which Duplicates shall, within Ten Days next after the making thereof, be deposited by the Beadle of the said Ward in the Office of the Chamberlain of the said City of London, where the same shall remain; and every Citizen of London, liable to be rated by virtue of this Act, shall and may have free Access thereto, at all convenient Times, and be permitted to inspect the same without Fee or Reward; and the Person or Persons neglecting to deposit such Duplicates, in the Manner, or within the Time aforesaid, or refusing to permit such Inspection as aforesaid, shall, for every such Offence respectively, forfeit the Sum of Five Pounds.

For appointing Collectors.

And, to the End that the said several Rates and Assessments may be fully and compleatly raised and paid for the Purposes aforesaid, it is hereby further enacted, That it shall and may be lawful to and for the Alderman or his Deputy, with the major Part of the Common Council Men of each Ward, at the Court of Wardmote to be holden upon or near the Feast Day of Saint Thomas the Apostle for the Choice of Ward Officers, to return to the said Wardmote the Names and Places of Abode of a competent Number of substantial Inhabitants of such Ward, of whom, so many as the said Alderman, or his Deputy, and the major Part of the said Common Council Men, shall think fit and direct, not exceeding Half the Number of Persons so returned, shall be chosen and appointed at the said Wardmote, to be Collectors of the Rates and Assessments which shall be made in pursuance of this Act, for One whole Year, from the said Feast Day of Saint Thomas the Apostle to the same Feast Day then next following, and so yearly, and from Year to Year: And the said Collectors for the time being are hereby authorized and required, in the respective Wards for which they shall be so chosen Collectors, to collect and receive, from

from time to time, such Rates, Assessments, and Sums of Money, as shall be due and payable by virtue of this Act, of and from all Persons liable to pay the same; and all Persons who, by virtue of this Act, shall be charged therewith, or be liable thereunto, are hereby required to pay such Rates or Assessments unto such respective Collectors for the time being accordingly; such Collectors, from time to time, giving Receipts for the same gratis, if thereunto required, and which they are hereby enjoined to do, upon Request: And every such Collector, who shall be chosen by virtue of this Act, shall, at the Wardmote at which he shall be chosen as aforesaid, or within the Space of Twenty Days then next ensuing, before the Alderman of the Ward for which he shall be so chosen Collector, or his Deputy, take and subscribe the following Oath, or, being One of the People called Quakers, make and subscribe the following solemn Affirmation, for the true and faithful Execution of the said Office.

Obliging the Collectors to take an Oath.

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

The Oath.

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

In case of Refusal or Neglect to take the Office, the Alderman, &c. of the Ward, &c. may appoint others.

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

Not to extend to oblige Persons to serve who are by Law exempted.

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

Impowering the Collectors to distrain in case of Non-payment.

And it is hereby further enacted and declared, That if any Person or Persons who shall be rated or assessed by virtue or in pursuance of this Act, shall, by the Space of Ten Days next after his, her, or their respective Rate or Rates, Assessment or Assessments, shall be due, and demanded by the Collector or Collectors authorized and appointed to collect and receive the same (such Demand being either personally made to the respective Person or Persons so charged, or left in Writing at his, her, or their respective House or Houses, or Place or Places of Abode) then, and in every such Case, it shall and may be lawful to and for such Collector or Collectors, every or any of them, having a Warrant or Warrants under the Hand and Seal of the said Commissioners, or any Three of them (which Warrant or Warrants the said Collector and Collectors is and are hereby required to apply for; and the said Commissioners, or any Three of them, are hereby authorized and required to grant) and, with the Assistance of a Constable, or other Peace Officer of the Ward, County, City, or Liberty, where the Person or Persons so refusing or neglecting

lecting shall reside, to enter his, her, or their House or Houses, Apartment or Apartments, and then and there to distrain his, her, or their Goods and Chattles; and if the same shall not be replevied, or such Rate or Assessment paid, within Five Days next after such Distress made, together with the Costs and Charges thereof, then to appraise and sell so much and such Part of the said Goods and Chattles as shall be sufficient to pay the said Rate or Assessment, with the Costs and Charges attending such Distress and Sale; returning the Overplus (if any) to the Owner or Owners of such Goods or Chattles (the said Costs and Charges to be settled and allowed by the said Commissioners, or any Three or more of them) who shall have granted such Warrant or Warrants respectively.

Warrant of Distress to be backed.

Provided always, That no such Distress shall, by virtue of this Act, be made out of the Limits of the said City and Liberties thereof, unless such Warrant or Warrants respectively shall be first backed or countersigned by some Magistrate of the County, City, or Liberty, where such Distress is proposed to be made; which Warrant or Warrants any Magistrate who shall be applied to for that Purpose, shall forthwith back or countersign, without Fee or Reward.

For punishing Persons neglecting their Duty in granting or executing any Warrant.

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

And, for the more effectual enforcing the Payment of the said Rates and Assessments for the Purposes aforesaid, it is hereby further enacted by the Authority afore-

Rendering Freemen not paying the Rates, incapable of voting at Elections.

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

Allowing an Appeal to the Commissioners.

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

Directing the Commissioners to hear and determine Complaints of any Inhabitants upon any Deficiency of Rate, or Omission.

Provided also, and it is hereby further enacted and declared, That if the Alderman of any Ward, within the said City of London, or his Deputy, with the major Part of the Common Council Men of the said Ward, shall, at any Time or Times hereafter, in any Rates or Assessments by them to be made, by virtue or in pursuance of this Act, neglect or omit to rate or assess any Person or Persons liable to such Rates or Assessments, or shall neglect or omit to rate or assess any Lands, Tenements, or Hereditaments, or the Inhabitants or Occupiers thereof, within their Ward, in proportion to the yearly Rent of such Lands, Tenements, or Hereditaments respectively, as the same shall be ascertained and rated in the Rate or Assessment towards the Land Tax; then, and in every such Case, upon Complaint

plaint thereof made by any Inhabitant of the said City to the said Commissioners, they are hereby authorized and required forthwith to appoint a Day for hearing such Complaint; and the Party or Parties complaining shall give Three Days Notice at the least of the Day so appointed, to the Alderman of the Ward to which such Complaint shall relate, or to his Deputy; and such Notice having been given, the said Commissioners shall and may proceed to hear and determine such Complaint; and for that Purpose shall and may summon Witnesses before them, and examine such Witnesses upon Oath; which Oath the said Commissioners are hereby authorized and impowered to administer; and if the said Commissioners shall judge the Matter of such Complaint to be true, they shall make such Alterations in the said Rate or Assessment as shall be just.

For paying the Money collected into the Chamberlain's Office.

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

Collectors to deliver in an Account in Writing under their Hands.

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

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

Collectors refusing to account, the same to be levied by Distress and Sale.

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

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

Commiſſioners to ſummon and examine Collectors, upon Oath, touching any Complaint or Neglect of Duty.

And it is hereby further enacted, That every Collector to be appointed by virtue or in purſuance of this Act, ſhall, upon Three Days Notice in Writing, given to or left for him at his uſual Place of Abode, by the Clerk of the ſaid Commiſſioners, attend the ſaid Commiſſioners at ſuch Time and Place as ſhall be appointed in ſuch Notice, and then and there, if required, anſwer upon Oath (or if ſuch Collector ſhall be a Quaker, then upon his ſolemn Affirmation; which Oath or Affirmation ſuch Commiſſioners, or any Two of them, are hereby impowered to adminiſter) touching any Neglect of Duty, or other Matters of Complaint againſt him; and if any ſuch Collector ſhall refuſe or neglect to attend on ſuch Notice as aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and required, by Warrant under their Hands and Seals, or the Hands and Seals of any Three or more of them, to cauſe ſuch Collector to be brought before them, and to hear and determine the Matter of ſuch Complaint, in a ſummary Way; and if ſuch Collector ſhall not ſhew good Cauſe of Excuſe, to the Satisfaction of the ſaid Commiſſioners, for his neglecting or refuſing to attend on ſuch Notice as aforeſaid, he ſhall, for every ſuch Neglect or Refuſal, forfeit the Sum of Forty Shillings, to be levied by Diſtreſs and Sale of the Goods and Chattles of ſuch Collector; and if no Goods and Chattles of ſuch Collector can be found, ſufficient to anſwer and ſatisfy the ſame, and the Charges of ſuch Diſtreſs and Sale, then the ſaid Commiſſioners, by their Warrant as aforeſaid, may and ſhall commit

such Collector to One of the Compters of the said City, there to be detained and kept for any Time not longer than One Month, nor less than Fourteen Days.

In case of Collectors becoming Bankrupts, Executors, or Assignees, to pay the Money.

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

And, to the Intent that substantial Persons may be chosen and appointed Collectors in each Ward, it is hereby further enacted, That in case any Collector or Receiver of the said Rates 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 on the Inhabitants of the Ward for which such Person was chosen and appointed Collector, by the Alderman of such Ward, or his Deputy, with the major Part of the Common Council Men of the said Ward, in such Proportion and Manner as the Rates are directed to be made by this Act; and shall be collected, levied, and distrained, in such Manner, and under such Penalties, as are herein provided for collecting and levying the Rates due and payable by this Act.

If Collectors or Receiver become insolvent, &c. the Money to be again assessed.

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

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

And, for the more effectually enabling the said Commissioners to execute the Purposes of this Act, in the most expeditious Manner, it is hereby further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby impowered, from time to time, when they shall judge it necessary for the Purposes aforesaid, to borrow and take up at Interest any Sum or Sums of Money, not exceeding One hundred thousand Pounds, upon the Credit of the Rates or Assessments to be made and payable by virtue of this Act; and by any

Commissioners impowered to borrow Money upon the Credit of the Rates.

any Writing or Writings, upon Vellum or Parchment, signed by them, to assign the said Rates or Assessments, to any such Person or Persons who shall advance or lend such Money thereon, as a Security or Securities for the several Sums so borrowed, with legal or lower Interest for the same; which Interest shall be payable and paid half-yearly by the Chamberlain of the said City for the time being, out of the Monies to arise by or from the said Rates or Assessments.

Forborrowing Money, by Annuities on Lives.

And whereas many Persons may chuse to advance Money for the Purchase of Annuities, to be secured upon, and payable out of, the said Rates and Assessments, it is hereby further enacted, That it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay, into the Hands of the said Commissioners, for the Purposes of this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of One hundred thousand Pounds, for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life of such Persons, being of the Age of Forty five Years, or upwards, as shall be nominated by or on the Behalf of such respective Contributors, at the Time of Payment of their respective Contribution-monies; which Annuity or Annuities shall not exceed the Rate of Eight Pounds per Centum per Annum for every One hundred Pounds, and so in Proportion for any greater or lesser Sum to be advanced and paid as aforesaid: All which Annuities so to be purchased, shall be payable and paid by the said Chamberlain of the said City for the time being, out of the Monies to arise by or from the said Rates and Assessments, by Four equal Quarterly Payments; the First Payment to be made to the respective Purchasers, or their Assigns, at the Expiration of the First Quarter after Payment of their respective Purchase-monies; the Rate whereof shall be settled and adjusted by a publick Sale of the said Annuities by the said Commissioners to the best Bidder for the same.

If Annuitants die, any Person may purchase Annuities for their Lives.

Provided always, and it is hereby further enacted, That when and as often as any such Annuitants shall die, it shall and may be lawful for any Person or Persons to purchase of the said Commissioners One or more Annuity or Annuities upon the Life of such Persons, and upon such Terms and Conditions, and to be payable in such Manner as above-mentioned; so that the Sum or Sums to be contributed for the Purchase of any Annuities to be granted by virtue of this Act shall, at

at no One Time, exceed the said Sum of One hundred thousand Pounds.

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

And it is hereby further enacted, That all and every Person and Persons who shall purchase such Annuity or Annuities, and shall duly pay the Purchase-monies for the same at the Rates aforesaid, and his, her, or their respective Executors, Administrators, and Assigns, shall have, receive, and enjoy, the respective Annuity or Annuities so purchased, during the Term of the natural Life or Lives of the Person or Persons by them respectively nominated at the Time of such Purchase, and shall have good, sure, absolute, and indefeasible Estates and Interests in the said Annuities respectively, according to the true Tenor and Meaning of this Act; and that none of the said Annuities shall be subject or liable to any Tax assessed upon Land by Authority of Parliament; and every such Purchaser shall, upon Payment of his or her Purchase-money as aforesaid, have an Order on Parchment or Vellum for Payment of the Annuity or Annuities so purchased by him or her, for and during the natural Life or Lives of such Person or Persons as shall be nominated by him or her as aforesaid; which Order shall be signed by the said Commissioners; and, after signing thereof, shall be firm, good, valid, and effectual in the Law, according to the Purport and Meaning thereof, and of this Act. That the Annuities shall not be liable to Taxes.

For Assignment of Securities.

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

In case any Persons shall forge, &c. any Assignment, Certificate, &c. of any Annuitants.

And be it further enacted, That if any Person or Persons whatsoever shall forge or counterfeit, or procure to be forged or counterfeited, or wilfully act or assist in forging or counterfeiting, any Assignment of any such Annuity as aforesaid, or any Certificate of the Age or of the Life of any Nominee, or any Order or Authority in in Writing to receive any Annuity due, or to grow due, to any Proprietor thereof, or any Part thereof, or shall knowingly or fraudulently demand, or endeavour to have or receive, any such Annuity or Annuities, or any Part thereof, by virtue of any forged or counterfeited Assignment, Letter of Attorney, Certificate, Instrument, Order, or Authority, in Writing, or shall falsely and deceitfully personate any true and real Proprietor or Proprietors of any such Annuity or Annuities, or the Assignee of any such Proprietor or Proprietors, and thereby receiving, or endeavouring to receive, the Money of any such true and lawful Proprietor or Assignee, as if such Offender were the true and lawful Owner thereof; then, and in every and any of the said Cases, all and every such Person and Persons so offending, and being thereof convicted in due Form of Law, shall be adjudged guilty of Felony, and shall suffer Death without Benefit of Clergy.

For charging the Money borrowed on the Rates.

And it is hereby further enacted, That all and every the Sum and Sums of Money so to be advanced and lent, and the Interest thereof, and all and every the Annuity and Annuities so to be purchased, under and by virtue of this Act, shall be, and they are hereby charged upon, and shall be paid and payable, from time to time, out of the Monies arising from the Rates and Assessments to be rated and assessed by virtue and for the Purposes of this Act; and all the Persons who shall be so pos-

ſeſſed of ſuch Securities ſhall be Creditors in equal Degree, without Preference in reſpect of the Priority of his, her, or their, advancing the Money thereon.

No Perſons charged towards the Rates, ſhall be charged with other Rates of any former Act.

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

Not to extend to repeal Rates under former Acts.

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 were due and payable, or in Arrear, on the Twenty ninth Day of September, One thouſand ſeven hundred and ſixty ſeven, 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 were due and payable on the ſaid Twenty ninth Day of September, One thouſand ſeven hundred and ſixty ſeven, and all the Remedies, Powers, and Proviſions, in and by ſuch former Act or Acts reſpectively granted, enacted, or provided, for the collecting, levying, and recovering, the ſame reſpectively, ſhall continue and be in force; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

For aſſeſſing certain Places in *Holborn*, &c. as are out of the Liberties of the ſaid City, for the Purpoſes of this Act.

And whereas certain Parts of Holborn, the Minories, and Alderſgate Street, are ſuppoſed to be out of the Liberties of the ſaid City of London, by Means whereof the Pavements of the ſeveral Streets and Places within the ſame reſpectively cannot be completely finiſhed by the Powers hereby veſted in the ſaid Commiſſioners; wherefore, for the better and more ſpeedy Completion of the ſame, be it enacted, That the ſeveral Powers and Authorities hereby veſted in the ſaid Commiſſioners, and all the Proviſions and Regulations herein before eſtabliſhed, declared, and provided, for the Purpoſes of paving, cleanſing, and enlightening, the ſaid City and the Liberties thereof, and for other Purpoſes of this Act, ſhall reſpectively extend and ſhall be in force, and ſhall in all Reſpects be executed by the ſaid Commiſſioners, within ſuch Parts of Holborn, the Minories, and Alderſgate

derſgate Street, as are, or are ſuppoſed to be, out of the Liberties of the ſaid City of London; and the Courts and Alleys leading into the ſame, or communicating therewith, and the Inhabitants of the ſeveral Parts and Places aforeſaid, ſhall be rated and aſſeſſed according to the Proviſions herein before made by the Alderman of the Ward next adjoining to the ſame reſpectively, or by his Deputy, with the major Part of his Common Council Men, and ſuch Rates ſhall be recovered in Manner herein before directed; any Law, Statute, Cuſtom, Uſage, or Preſcription, to the contrary notwithſtanding.

Liberty of *St. Martin le Grand* excepted out of this Act.

Provided always, and be it further enacted and declared by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to the Liberty of Saint Martin le Grand belonging to the Dean and Chapter of Weſtminſter; any thing in this Act to the contrary in any wiſe notwithſtanding.

Recites the Act of 17 *Geo.* II.

And whereas it was by an Act of the Seventeenth Year of the Reign of His ſaid late Majeſty King George the Second, intituled, An Act for making effectual Proviſion for enlightening the Streets of the City of *London*, enacted, That if at the Expiration of Seven Years, it ſhould be found that any Surplus ſhould have ariſen from the Monies collected by virtue of the ſaid Act, over and above what ſhould have been iſſued and applied in purſuance thereof, ſuch Surplus-monies ſhould remain in the Chamber of the ſaid City of London, to be applied either in Aid of the Orphans Fund, or in Abatement or Diminution of future Rates and Aſſeſſments, or to be otherwiſe diſpoſed of to and for the Uſe and Benefit of the Citizens of London, as they by an Act of Common Council ſhould direct and appoint: And whereas Part of the Money ariſing by the Sale of Six thouſand Pounds, Three per Cent. conſolidated Bank Annuities, which were purchaſed with or out of the Surplus Money collected by virtue of the ſaid laſt mentioned Act, over and above what had been iſſued and applied in purſuance thereof, is now remaining in the Chamber of the ſaid City; and it will tend to expedite the good Purpoſes of this preſent Act if ſuch Money as now is, or hereafter may be, in the Chamber of London of the Monies collected, or to be collected, by virtue of the ſaid former Act, were to be applied towards the carrying on the Purpoſes aforeſaid; therefore it is hereby further enacted and declared, That the ſaid Money, and all ſuch Surpluſes as have ariſen, or ſhall or may ariſe, from the Monies collected, or to be collected, by virtue of the ſaid Act of the Seventeenth

Surplus Monies collected by virtue of the recited Act, *&c.* to be applied to the Purpoſes of this Act.

Year of His said late Majesty, and shall on the Twenty fifth Day of December, One thousand seven hundred and sixty seven, be remaining in the said Chamber of London, over and above what shall then have been issued and applied in pursuance of the said last mentioned Act, shall and may be applied towards the Purposes of this present Act at such Time or Times, and in such Manner, as the said Commissioners shall, from time to time, think fit, order, or direct; and the Chamberlain of the said City for the time being shall immediately after the said Twenty fifth Day of December, One thousand seven hundred and sixty seven, carry the said Money, and the Amount of the Surplus of the said Monies which shall then be in his Hands, to the Credit of the Account of Monies to be collected and paid into the said Chamber by virtue or in pursuance of this present Act.

A Toll to be taken at the several Turnpikes hereafter mentioned, before any Cattle or Carriage shall be permitted to pass on a *Sunday*.

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

The Tolls.

For every Coach, Chariot, Berlin, Chaise, Chair, Calash, or other Carriage, drawn by Six or more Horses or Mules, the Sum of Ten Pence; and for every Coach, Chariot, Berlin, Chaise, Chair, Calash, or other Carriage, drawn by Four Horses or Mules, the Sum of Eight Pence.

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

ry Chaise, Chair, Calash, or other Carriage, drawn by One Horse or Mule, the Sum of Three Pence.

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

The said Tolls to be taken above and exclusive of all other Tolls.

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

Tolls vested in the Mayor and Commonalty and Citizens

Tolls may be levied by Distress and Sale.

Distress may be sold after 4 Days.

Commissioners may erect Turnpikes, &c.

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

Turnpikes, &c. vested in the Mayor and Commonalty and Citizens.

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

Tolls may be collected at the Turnpikes already erected.

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

Tolls to be paid but Once a Day.

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

Commiſſioners may Leaſe, &c. the Tolls.

And it is hereby further enacted, That the ſaid Commiſſioners may, and they are hereby impowered, upon Ten Days Notice being given in the London Gazette, to leaſe or farm by the Year the Tolls by this Act granted,

ed, or any Part or Parts thereof, to any Person or Persons, at or for the largest yearly Sums that can be got for the same, provided that such Lettings or Agreements be made in Writing, and signed by the Person or Persons taking or farming any such Tolls, and by the said Commissioners letting the same, and be not made for more than Three Years at a Time, and that the Money that shall be so agreed to be paid for the said Tolls shall be made payable, and shall be paid to the Chamberlain of the said City for the time being by Quarterly Payments, and that the Person or Persons to whom the same shall be so lett shall always pay One Quarter's Pay in Advance: And if any Letting or Agreement for letting the said Tolls, or any Part or Parts thereof, shall be made, and any Default shall be made in paying the Money agreed to be paid, contrary to the true Meaning of this Act; then every such Letting and Agreement shall be void, and the Person or Persons to whom the said Tolls shall be lett shall be liable to account for the same, and to have the same levied and recovered upon and of him or them, in the same Manner as is by this Act directed for the accounting for the said Tolls by the Collectors thereof, and for the levying and recovering the same upon and of them.

Commissioners may appoint Officers.

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

Officers to account upon Oath.

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

Officers refusing to account,

Justices to enquire into the Default,

and commit the Offender, until Payment or Composition made.

Commissioners to allow Officers Salaries.

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

For farming the Tolls.

And it is hereby further enacted, That the said Commissioners may, and they are hereby impowered, to borrow and take up at Interest, any Sum or Sums of Money upon the Credit of the Tolls payable by virtue of this Act, and to assign over the same, or any Part thereof, by any Writing or Writings under their Hands and Seals, the Charges of such Assignments and Conveyances to be paid out of such Tolls respectively, to any Person or Persons who shall advance or lend their Money thereon, as a Security or Securities for the several Sums which shall be borrowed, and the Interest thereof, as aforesaid: And Copies of all such Assignments and Conveyances shall be entered in a Book or

Tolls may be assigned for Money borrowed.

Assignments to be entered in a Book.

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

All Creditors deemed equal in Degree.

Penalty on forcibly passing through the Gates, &c.

And it is hereby further enacted, That if any Person or Persons shall forcibly or wilfully go or pass with any Horse, Beast, or Carriage, through any Turnpike whereat any Toll is by virtue of this Act to be paid, without paying such Toll, or producing a Note or Ticket as aforesaid, at such Turnpike, or shall knowingly or designedly, assault, interrupt, or obstruct, any or either of the Collectors or Persons employed in the collecting or receiving any or either of the said Tolls, in the Execution of his or their respective Office or Offices; or shall forge, counterfeit, or alter, or shall deliver to, or receive from, any other Person or Persons, any Note or Ticket, with an Intent to avoid the Payment of any or either of the said Tolls, or any Part thereof; every Person, so offending, shall, for every such Offence, forfeit and pay the Sum of Forty Shillings, over and besides such Damages and Punishments as they and every of them respectively shall be liable to by Law; and it shall and may be lawful to and for the said Receivers or Collectors, and for every of them, and all other Persons required by them to assist in that Respect, to seize any Horse or Horses, Cattle, or Goods, belonging to, or in the Possession, or under the Care of, any Person or Persons so offending

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

offending in the Premiſſes, and to take ſuch Offenders before any Juſtice of the Peace, and before him to make Complaint of ſuch Offence or Offences; and ſuch Juſtice may and is hereby required to enquire into the ſame, as well by Examination of the Party or Parties, as by the Teſtimony of any credible Witneſs or Witneſſes, upon Oath (which Oath ſuch Juſtice is hereby impowered to adminiſter, without Fee or Reward) and, if the ſaid Juſtice ſhall ſee Cauſe, to convict the Party or Parties complained of in the Penalty aforeſaid; and for Non-payment thereof, and of the Tolls that ſhall be due (though the ſame ſhall not be demanded) by Warrant under his Hand and Seal, to cauſe the ſaid Horſe or Horſes, Cattle, or Goods, to be ſold for Payment of the ſaid Tolls and Penalties; and the Charges of ſeizing and keeping the ſame, and of ſuch Sale, rendering the Overplus (if any there ſhall be) to the Owner or Owners of the ſaid Horſe or Horſes, Cattle, or Goods, or to the Perſon or Perſons under whoſe Care, or in whoſe Poſſeſſion, they reſpectively were ſo ſeized as aforeſaid; and if no ſuch Seizure as aforeſaid can or ſhall be made, then the aforeſaid Penalty and Tolls ſhall be levied and recovered by ſuch Means, and applied in ſuch Manner, as herein after mentioned: And moreover, it ſhall and may be lawful for any of the Collectors of the Rates hereby granted, or other Officer, to be appointed by virtue of this Act, who ſhall be aſſaulted, obſtructed, or interrupted, in the Execution of any of their reſpective Offices, and for every of them, and all other Perſons required by them to aſſiſt in that Reſpect, to take ſuch Offender before any Juſtice of the Peace, who is hereby required to inquire into the ſame in Manner as above directed, and, if he ſhall ſee Cauſe, to convict the Party or Parties complained of in the Penalty laſt mentioned, to be levied and recovered as hereafter directed.

Perſons aſſaulting, &c. the Collectors, they are impowered to take them before a Juſtice of the Peace.

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

All Monies raiſed by virtue of this Act, veſted in the Mayor and Commonalty and Citizens.

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

Charges of paſſing this Act how to be paid.

Provided alſo, and it is hereby further enacted by the Authority aforeſaid, That no Nomination, Contract, Bond,

Writings to be without Stamps.

Bond, Warrant, Judgement, or other Writing whatsoever, under the Hand and Seal, or Hands and Seals, or only signed by any Commissioner or Commissioners constituted by this Act, or any Justice or Justices of the Peace, or exhibited before any of them, or under the Hand and Seal, or Hands and Seals, or only signed by any other Person or Persons whatsoever, relating to the Execution of this Act, shall be chargeable with any Duty whatsoever.

Penalties and Forfeitures how to be recovered and applied.

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

Proceedings not to be quashed for want of Form,

And it is hereby further enacted, That no Proceeding 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; any Law or Statute to the contrary notwithstanding.

Limitation of Actions.

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

General Issue.

Treble Costs.

Repeals Acts 6 *Geo.* II.

And it is hereby further enacted and declared, That immediately after the several Authorities, Powers, and Provisions, herein before given or granted, established, declared, and provided, shall commence and take effect respectively, for the Purposes of paving, cleansing, and enlightening, the said City, and the Liberties thereof, and the other Purposes of this Act, according to the Tenor and true Meaning thereof, the said Act made in the Sixth Year of His present Majesty's Reign, for the better

better paving, cleansing, and enlightening, the City of London, and the Liberties thereof, and for preventing Obstructions and Annoyances within the same, and for other Purposes therein mentioned, except as aforesaid, shall be, and the same is hereby repealed and made void.

No Appointment of Officers, or other Proceeding under the recited Act, &c to be made void under this Act.

Provided always, and it is hereby declared and enacted, That nothing herein contained shall extend, or be construed to extend, to make void the Appointment of any Officers already appointed by virtue of the said Act hereby repealed; or to make void any other Proceeding already had or commenced by virtue of, and under the Authority of the said Act; or to prevent the compleating of any such Proceedings; but that the said Commissioners constituted by this Act shall and may carry into Execution, and compleat all such Proceedings commenced under the said Act hereby repealed, in the like Manner as if the same had been commenced under and by virtue of this Act.

Repeals Acts 22 & 23 *Car.* II.

Provided also, and it is hereby enacted and declared, That nothing in this Act contained shall extend, or be construed to extend, to revive so much of the said Act made in the Twenty second and Twenty third Years of the Reign of the late King Charles the Second, or of an

2 *W. & M.*

Act made in the Second Year of the Reign of their late Majesties King William and Queen Mary, as relates to the paving and cleansing the Streets in the said City of London, and to the preventing of Nuisances and

10 *Geo.* II.

Obstructions within the same; or so much of an Act made in the Tenth Year of the Reign of His late Majesty King George the Second, as relates to the paving the said Streets; or to revive the said Act made in the

17 *Geo.* II.

Seventeenth Year of the Reign of His late Majesty King George the Second, or any of the Powers, Provisions, Clauses, and Matters, therein respectively contained; or to revive so much of an Act made in the

and 33 *Geo.* II.

Thirty third Year of the Reign of His said late Majesty King George the Second, as relates to the repairing and relaying such Pavement in the said City as shall be damaged by the breaking up of the same to amend and relay any Water Pipes; but the same shall remain, and they are hereby declared to be respectively repealed and made void.

Publick Act.

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

FINIS.