Anno octavo

Georgii III. Regis.

CAP. XXXIII.

An Act for opening certain Paſſages, and for paving the Streets and other Places, in the Pariſh of *Saint Leonard Shoreditch*, in the County of *Middleſex*, and for preventing Annoyances therein.

WHEREAS the High Streets called Holywell Street, Church End, and Part of Kingſland Road, leading from Norton Falgate, to the Cherry Tree in Kingſland Road, and a Lane called Hog Lane, and alſo another Lane called Holywell Lane, in the Pariſh of Saint Leonard Shoreditch, in the County of Middleſex, are extremely ill paved, and the Paſſage through the ſame greatly obſtructed by Poſts and Projections, and annoyed by Spouts, Signs, and Gutters, and the preſent Methods preſcribed by Law are ineffectual for removing ſuch Annoyances and Obſtructions, and for the proper paving of ſuch Streets and Lanes, and keeping ſuch Pavements in ſufficient Repair; May it therefore pleaſe Your Majeſty, that it may be enacted; Preamble.

acted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Sir William Beauchamp Proctor Baronet, George Cooke Esquire, Sir James Easdaile, the Reverend John Hotham M. A. Archdeacon, John Paterson, William Tyser, John Calvert, Benjamin Clempson, Thomas Scott, Samuel Scott, Benjamin Cowley, Dirk Witternoon, Andrews Pankeman, Nahum Crosley, Esquires; Captain John Baker, Captain Joseph Hindman, James Wood, John Hammon, Robert Plimpton, Simon Forster, John Aspinal, Edward Lambert, Richard Rutson, William King George, Joseph Newsom, James Stewart, William Wilson, John Caplin, Robert Parker, William Green, Joseph Pocock, John Norris, William Goodman, John Mort, Sampson Jessop, Thomas Chancellor, Arthur Deane, Matthew Ebborne, George Farmer, John Pippin, John Banks, Samuel Dunnage, Peter Arnaud, John Marshall, Benjamin Mills, Samuel Ament, Edward Hutchinson, James Clarke, Joseph Titterton, William Collier, William Mansel, William Pigge, Samuel Sewell, James Laird, John Simmonds, John Horsley, John Marno, Joseph Page, Edward Brown, John Oldham, Thomas Cooper, Charles Morton, William Clarke, Peter Whitlock, William Fricker, Gentlemen; John Withers, Richard Nicholas, Benjamin Rosewell, Henry Newcom, James Calvert, James Calvert junior, Cadwallader Coker, Esquires; William Feast, Benjamin Barnsley, Robert Romley, Joshua Wilkinson, Andrew Pritchard, John Maxey, Michael Forster, William Carpenter, John Arthur, Gentlemen; John Spiller, Thomas Boddington, George Adey, John Barclay, Richard Wainwright, Esquires; Louis Ogier, William Jourdain, Joseph Pickles, Tesdale Webb, and William Maskall, Gentlemen; shall be, and they and their Successors, to be elected in manner herein after-mentioned, are hereby appointed Commissioners for putting this Act in Execution: And in case of the Death of any of the said Commissioners, or Refusal to act, it shall be lawful for the surviving or remaining Commissioners, or any Nine or more of them, from time to time, by Writing under their Hands and Seals, to elect One other Person to be a Commissioner in the Room and Stead of the Commissioner so dying, or refusing to act; Ten Days publick Notice of the Time and Place of Meeting for every such Election being given, by affixing the same in Writing upon the Principal Door of the Parish Church of

Commissioners Names.

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

Saint

Saint Leonard Shoreditch; and every Person so elected, shall be, and he is hereby vested with the same Powers for putting this Act in Execution, as the Person, in whose Place he shall be elected, was vested with.

Qualification of Commissioners.

And be it further enacted by the Authority aforesaid, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall in his own Right, or in the Right of his Wife, be in the actual Possession or Receipt of the Rents of Lands, Tenements, or Hereditaments, of the clear yearly Value of Forty Pounds; or possessed of, or intitled to, a Personal Estate of the Value of One thousand Pounds: And if any Person, not being so qualified, shall presume to act as a Commissioner in the Execution of this Act; every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds, together with Costs of Suit, to any Person or Persons who shall sue for the same; to be recovered in any of His Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed, and wherein the Proof of Qualification shall lie on the Person prosecuted; and it shall be sufficient for the Prosecutor to prove that the Person so prosecuted had acted as a Commissioner in the Execution of this Act.

Penalty on acting if not qualified.

No Victualler to act under this Act.

Provided always, and be it further enacted by the Authority aforesaid, That no Person who shall sell Ale, Wine, or any spirituous or fermented Liquors, by Retail, shall be capable of acting as a Commissioner under this Act.

Time and Place of Commissioners Meeting.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall meet together at the Vestry Room of the said Parish Church of Saint Leonard Shoreditch, on the Second Monday after the passing of this Act, and shall then and there proceed to the Execution of this Act, and they are hereby impowered to adjourn themselves, from time to time, to meet at the same Place: And if at any Meeting so appointed, there shall not appear a sufficient Number of Commissioners to act or adjourn to another Day; or in case the said Commissioners so assembled, shall omit, neglect, or refuse to adjourn themselves, then, and in every such Case, any Two of the said Commissioners, or the Clerk to the said Commissioners, shall appoint a Meeting of the said Commissioners to be held within Ten Days after at the same Place; and publick Notice whereof shall be given by affixing the same in

In Default of a sufficient Number to act,

Clerk to give Notice of another Meeting.

Writing upon the principal Door of the aforesaid Parish Church, at least Six Days before such adjourned Meeting.

No Act valid, except at a publick Meeting.

Provided always, That no Order or Determination of the said Commissioners shall be valid, unless the same shall be made at a Meeting held in pursuance of this Act; nor shall any Commissioner hereby appointed, or hereafter to be appointed, as aforesaid, be capable of acting as such, during the Time he shall enjoy any Office of Profit by virtue of the Powers given by this Act, or have any Share or Interest in any Contract relating to the Execution thereof.

Commissioners not to act where interested.

Commissioners may appoint Officers;

and remove them, and appoint others.

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

Commissioners to allow Officers Salaries.

Officers to give Security.

Officers to account upon Oath.

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

Officers refusing to account,

may be sued;

or if Complaint be made to Justices,

Justices to enquire into the Default,

and levy the Balance by Distress and Sale.

thereof, by 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 Officer or Officers, Person or Persons offending in the Premisses respectively: And if no Goods or Chattles of such Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy such Money, and the Charges of distraining and selling the same; or in case it shall appear to such Justice, by the Confession of the Party so offending, or by the Testimony of any credible Witness upon Oath, that any Books, Papers, or Writings, relating to the Execution of this Act, shall be in the Custody or Power of any such Officer or Person, and he shall refuse to deliver the same as aforesaid; then, and in either of the said Cases, such Justice shall commit every such Offender to the common Gaol of the County or Place where such Offender shall be and reside; there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners, or any Five or more of them, and shall have paid such Composition, in such Manner as they shall appoint (which Composition the said Commissioners, or any Five or more them, are hereby impowered to make) and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Commissioners, or any Five or more of them.

For want of Distress, Offender to be committed.

Provided always, That no Person who shall be committed on account of his having no Goods or Chattles, shall be detained in Prison for any Term longer than Six Months.

Proviso.

And it is hereby further enacted, That upon the Death of any such Officer, or other Person to be appointed as aforesaid, his Executors or Administrators shall, within Twenty one Days next after such Decease, deliver to the said Commissioners under this Act, or any Five or more of them, an Account of the Monies collected or received by the Person so deceased for the Purposes of this Act; and shall also deliver all Books, Papers, and Things, concerning his Office to such Person or Persons as the said Commissioners, or any Five or more of them, shall appoint to receive the same; which Money, if any due, shall be paid by the Executors or Administrators of the Person so deceased in preference to, and before any of, his or their other Debts are paid or satisfied.

On Death of Officers, Executors, &c. to account.

And

And be it further enacted by the Authority aforesaid, That if any Person, who shall be employed by the said Commissioners as a Clerk, Surveyor, or any other Officer or Servant, in the putting this Act, or any of the Powers thereof, in Execution, shall exact, take, or accept, any Fee or Reward whatsoever, other than such Salaries, Allowances, and Rewards, as shall be appointed, allowed, and approved of by the said Commissioners, or any Five or more of them, for or on account of any thing done or to be done by virtue of this Act, or on any Account whatsoever relative to the putting this Act in Execution; or shall be any Ways concerned in Interest in any Bargain or Contract made or to be made by the said Commissioners, or any of them, for the Purposes of putting this Act in Execution; every such Person, so offending, shall be incapable of ever serving or being employed under this Act, and shall forfeit the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record, within Six Calendar Months after the Offence committed, in which no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed. Officers taking Rewards, &c. disqualified, and forfeit 100*l.*

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall have full Power and Authority, from time to time, to cause, order, and direct, the said Streets and Lanes to be paved, repaired, raised, sunk, or altered, when and in such Manner as they shall think fit. Streets to be paved.

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

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, may, and they are hereby impowered, from time to time, to contract with any Person or Persons for paving and keeping in Repair the said Streets and Lanes above described, or any of them; which Contract and Contracts shall specify the several Works to be done, Commissioners may make Contracts.

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

Property of Materials vested in Commissioners.

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

Penalty on interrupting Workmen.

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

Commissioners may sell old Materials, &c.

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

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

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

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

Commissioners may contract with Companies for relaying such Pavements.

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

On Refusal of Payment, an Action may be brought.

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

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

Commissioners to pay for altering Pipes.

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

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

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

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

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

shall be given shall neglect to acquaint the Contractor of such Notice; then, and in every such Case, the Person or Persons so offending shall, for the First Offence, forfeit the Sum of Twenty Shillings; for the Second Offence, the Sum of Forty Shillings; and for the Third and every other Offence, the Sum of Three Pounds.

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

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

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

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

Course of Gutters to be turned, if necessary.

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

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

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

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

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

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

shall

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

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

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

And

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

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

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

Penalty on driving Wheel-barrows, &c. on Foot Pavements.

Provided always, and be it further enacted by the Authority aforesaid, That it shall be lawful for any Person or Persons to erect or set up, or cause to be erected or set up, in the said Streets or Lanes, any Inclosure,

Hords, &c. may be made for building and repairing, with Leave.

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

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

And be it further enacted by the Authority aforesaid, That all and every Person and Persons inhabiting within the said Streets and Lanes shall, from and after the Second Monday next after the passing of this Act, sweep and clean, or cause to be swept and cleansed, the Foot-paths before their respective Houses, Buildings, and Walls, Once in every Day between the Hours of Six and Nine in the Forenoon (Sundays excepted) upon Pain of forfeiting Five Shillings for every Neglect therein.

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

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

shall be committed; every such Person so offending shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

Signs, &c. to be regulated.

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

Signs, &c. unused, to be returned.

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

And whereas the said Streets and Lanes are, in some Parts thereof, greatly obstructed, and made dangerous to Foot Passengers, by Steps being brought out from Houses, Steps, and Doors, going down into Cellars, Vaults, and other Places, and by Shew-glasses, Shew-boards, and other Matters or Things projecting from Shops or Houses over and beyond the Area belonging to such Houses, or into the Footways; be it therefore enacted by the Authority aforesaid, That from and after the said Second Monday after the passing of this Act, all such Steps projecting into the Footways of the said Streets

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

Streets and Lanes, and all Steps and Doors going down out of the Footways into any Cellars, Vaults, or other Places, belonging to any House, Shop, Warehouse, or Tenement, as likewise all Shew-glasses or Shew-boards projecting over and beyond the Areas or into the Footways, and all and every other Material, Matter, or Thing, belonging to any House, Warehouse, Shop, Cellar, or other Building, which do or shall cause or occasion any Nuisance, Annoyance, Incroachment, or Obstruction, in the said Streets and Lanes, or any of them (either in the Foot or Carriage-way thereof) shall be, at the Expence of the said Commissioners, from time to time, removed, fired, placed, or altered, in such Manner and Form, as shall be approved of by the said Commissioners, or any Five or more of them, or their Surveyor, by their Direction.

Additional Rate.

And, for defraying the Charges and Expences attending the Execution of the several Powers by this Act granted, be it further enacted by the Authority aforesaid, That from and after the passing of this Act, a Rate or Assessment (over and above all Rates and Assessments now payable) shall Once in every Year, or oftener, if it shall be thought needful by the said Commissioners, or any Nine or more of them, be made, laid, and assessed, by the said Commissioners, or any Nine or more of them, upon all and every Person and Persons who do or shall inhabit, hold, or occupy, any Land, House, Shop, Warehouse, Cellar, Vault, or other Tenement, within the said Streets or Lanes comprized in this Act; which Rate or Assessment shall be made at or after the Rate of Nine Pence in the Pound, for every Year, of the yearly Rent or yearly Value of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements respectively.

Rates how to be collected.

And it is hereby further enacted, That the said several Rates so to be made or assessed under this Act, shall be collected Half-yearly by the Clerk of the said Commissioners for the time being, or such other Person and Persons as the said Commissioners, or any Five or more of them, shall appoint to collect the same: And if any Person or Persons shall refuse, neglect, or omit, to pay the Sum or Sums of Money at which he, she, or they, shall be so rated or assessed, for the Space of Ten Days after personal Demand made thereof, or Demand in Writing left at the Place of Abode or Occupation of such Person or Persons; then, and in every such Case, it shall and may be lawful to and for the said Clerk, or other Person or Persons so to be appointed Collector or Collectors,

Manner of Recovery.

and he and they is and are hereby authorized and required to levy the same by Distress and Sale of the Goods and Chattles of such Person or Persons so neglecting, refusing, or omitting to pay the same: And in case no such Goods or Chattles can be found to be so distrained, or in case such Goods and Chattles shall be locked up or secured, or removed from the said Clerk, or other Collector or Collectors, so that he or they cannot distrain the same; then, and in either of the said Cases, upon Information thereof given to any Two Justices of the Peace for the said County or Place, it shall and may be lawful for such Justices, and they are hereby required to commit the Person or Persons so assessed, and refusing or neglecting to pay the said Rates, to the common Gaol for the County or Place where such Person or Persons shall reside or shall be found, there to remain without Bail or Mainprize for any Time not exceeding the Space of One Month, or until the Payment of such Rate or Assessment, and reasonable Charges occasioned by the Non-payment thereof.

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

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

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

Rates for Houses under 10*l. per Ann.* may be compounded for.

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

Where Houses shall be unoccupied, Owners to be only charged One Half of the Rates;

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

and the Premises remain a Security.

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

And it is hereby further enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, and they are hereby required, at such Times as the Rates hereby directed shall be made, to rate all dead Walls and void Spaces of Ground adjoining to the said Streets and Lanes, at such Rate as the said Commissioners, or any Five or more of them, shall judge reasonable, for every Yard running Measure of such dead Walls and void Spaces of Ground, not exceeding the Rate of Two Shillings and Six Pence per Yard.

Tenants and Occupiers to pay the Rates.

And, to the end the said Rates may be more effectually collected and received, be it further enacted, That all and every

every Tenant or Tenants, Occupier or Occupiers, of Lands, Houses, Shops, Warehouses, Wharfs, Cellars, Vaults, or other Tenements, are and shall be liable to pay the Whole of such Rates, when no Composition shall have been made as aforesaid, to the Collector or Collectors to be appointed as herein after directed.

Occupiers quitting, without paying Rates, may be followed.

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

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

Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall be deemed or taken to make void any Contract, Covenant, or Agreement, between Landlord and Tenant, touching or concerning the paving, lighting, or cleansing, the said Streets and Lanes, or any Part of them, or either of them; but that every Person who is now, by virtue of any such Contract or Agreement, obliged to pave or keep in Repair any Part of the said Streets or Lanes, or any of them, shall, in lieu thereof, be obliged to pay the Rates hereby directed to be made and assessed, or so much thereof as shall by the said Commissioners, or any Five or more of them, be deemed just and reasonable, according to the true Meaning of such Contract, Covenant, or Agreement, for and during such Time as such Contract, Covenant, or Agreement, shall remain

remain in Force: And in case any Dispute shall arise concerning such Contract, Covenant, or Agreement, the said Commissioners, or any Five or more of them, shall have Power, and they are hereby required to hear and finally determine the same.

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

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

or the Commissioners may compound with such Parishes.

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

Trustees may erect a Turnpike, and take Toll.

And whereas the Money to be collected by the said Rate will not be sufficient for the Purposes of this Act; be it further enacted by the Authority aforesaid, That the said Commissioners under this Act, or any Five or more of them, or such Person and Persons as they shall nominate and appoint for that Purpose, shall and may, and they are hereby authorized and impowered to erect and set up, or cause to be erected and set up, a Gate or Turnpike, in, upon, and across, the said High Street called Holywell Street, between the South Side of Shoreditch Church, and the North Side of the Road leading to Bethnal Green; and also to erect or provide a Toll-house, in such Manner as the said Commissioners, or any Five or more of them, shall think proper; and to receive and take the Sum of One Halfpenny, before any Horse, Mare, Gelding, or Mule, whether drawing or not drawing, shall be permitted to pass through such Gate or Turnpike, which shall be demanded and taken as a Toll or Duty; and the Money so to be received and collected, shall be vested in the said Commissioners for the Purposes of this Act.

Toll's to be paid but Once a Day.

Provided always, That no Person having paid the said Toll, for any Horse, Mare, Gelding, or Mule, and producing a Note or Ticket denoting the Payment thereof,

(which Note or Ticket the Collector of the said Tolls is hereby required to give gratis upon Receipt of the said Tolls) shall be liable to pay the same Toll again, for the same Horse, Mare, Gelding, or Mule, the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night.

Tolls may be levied by Distress and Sale.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for such Person or Persons as the said Commissioners, or any Five or more of them, shall, from time to time, nominate and appoint to demand and take the said Tolls hereby granted and made payable, to levy the same upon any Person or Persons who shall, after Demand made thereof, neglect or refuse to pay the same, by Distress of any Horse, Mare, Gelding, or Mule, upon which such Tolls are by this Act imposed, or by Distress of any other of the Goods or Chattles of such Person or Persons who ought to pay the same, and to detain and keep the said Cattle, Goods, or Chattles, until such Tolls, with the reasonable Charges of distraining and keeping the same, shall be paid; and it shall and may be lawful to and for such Person and Persons so distraining, after the Space of Five Days next after such Distress so taken, to sell the Horse, Mare, Gelding, or Mule, or Goods, so distrained, returning the Overplus (if any) upon Demand, to the Owner thereof, after such Tolls, and the reasonable Charges of such Distress and Sale, shall be deducted.

Distress may be sold after 5 Days.

Penalty on evading the Tolls.

And be it further enacted by the Authority aforesaid, That if any Person shall forcibly or wilfully evade the Payment of the Toll by this Act granted, by riding or driving any Horse, Mare, Gelding, or Mule, through the said Gate or Turnpike, without paying such Toll; such Person shall, for every such Offence, forfeit and pay the Sum of Forty Shillings, to be recovered, levied, and applied, as any Penalty or Forfeiture is by this Act directed to be recovered, levied, and applied.

And whereas there are certain Ways or Passages called New Inn Yard, King John's Court, Cash's Alley, and Dirty Lane, all leading into Holywell Street aforesaid, by passing through which, the Payment of the Toll hereby granted may be evaded, and the Purposes of this Act frustrated; be it therefore further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall have full Power and Authority to erect any Gate or Gates in or across any or all the said Passages or Places called New Inn Yard, King John's Court, Cash's Alley, and Dirty Lane, in such Manner as

Commissioners may erect Gates across *New Inn Yard*, *King John's Court*, *Cash's Alley*, and *Dirty Lane*.

3

they shall think proper, so as to prevent any Horse from passing through the same.

Foot Passages to be left on each Side, &c.

Provided always, That a Passage shall be left open for Persons on Foot in each of the said Ways or Passages; and also that the Inhabitants of each of the said Places shall have Permission to pass, from time to time, through such Gate as shall be erected in the Yard, Court, Alley, Lane, or Place, in which they shall respectively reside, with their Cattle and Carriages, without paying any thing for passing through the same.

For borrowing Money.

And whereas the Money to be collected and received by virtue of this Act will be insufficient for the speedy carrying the several Purposes hereby intended into Execution; be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay, into the Hands of the said Commissioners, or any Nine or more of them, for the Uses and Purposes in this Act mentioned, any Sum or Sums of Money not exceeding in the Whole the Sum of Fourteen 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 Contributor respectively, or the natural Life of such other Person or Persons as shall be nominated by or on the Behalf of such Contributor or Contributors respectively, at the Time of Payment of his, her, or their respective Contribution-money, so as the said Annuity or Annuities do not exceed the Rate of Nine Pounds by the Hundred, and so in Proportion for any greater or less Sum to be paid as aforesaid, and so as the said Annuities to be purchased in pursuance of this Act, do not at any One Time exceed in the Whole the Sum of One thousand two hundred and sixty Pounds.

Annuities charged upon the Rates,

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

of

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

and deemed indefeaſible Eſtates,

not chargeable to the Land Tax.

Receipts and Orders for Payment to be ſigned, &c.

And be it further enacted, That it ſhall and may be lawful to and for any Purchaſer or Purchaſers of any ſuch Annuity or Annuities as aforeſaid, and his, her, or their Executors, Adminiſtrators, or Aſſigns, at any Time or Times, by Writing or Writings under his, her, or their Hand or Hands, to aſſign ſuch Annuity or Annuities, or any Part thereof, or Intereſt thereon, to any Perſon or Perſons whatſoever, and ſo toties quoties; and a Memorandum or Entry of all ſuch Orders and Aſſignments ſhall be made in the Book to be kept as hereafter mentioned, at the Charge of the ſaid Commiſſioners; for which Entry or Memorandum, Two Shillings and Six Pence ſhall be paid, and no more; and no ſuch Aſſignment ſhall be deemed valid, unleſs ſuch Memorandum or Entry ſhall be firſt made as aforeſaid.

Annuities may be aſſigned.

Provided always, That as ſuch Annuitant or Annuitants ſhall die off, and ſuch Rates or Aſſeſſments can be lowered and reduced, and ſome Part of the ſaid Tolls can be taken off, the ſame ſhall be ſo done from time to time, in ſuch Manner and Proportions as the Juſtices of the Peace for the ſaid County of Middleſex, at their General or Quarter Seſſion aſſembled, ſhall order and direct.

As Annuitants die, the Rates to be lowered.

Provided always, That until the ſaid Turnpike ſo to be erected ſhall be taken away, and the Paſſage of the ſaid

Proviſo.

said High Street laid open and freed from Toll, the said Rates and Assessments shall not be reduced to less than Six Pence in the Pound.

Monies raised vested in Commissioners.

And be it further enacted by the Authority aforesaid, That all Monies raised or collected by Virtue, or by Means, or under the Authority, of this Act, shall be, and the same are hereby vested in the said Commissioners, and shall be applied for the Purposes of this Act, and to or for no other Use or Purpose whatsoever.

Charges of this Act how to be paid.

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

And whereas the Entrance into the said Street called Holywell Street, through Holywell Lane, is greatly obstructed by a House at the North East Corner, which projects so far into the said High Street called Holywell Street, as frequently to cause Carriages to be overturned: And whereas the Street or Lane called Hog Lane, which is another Avenue into the said High Street, is very narrow and incommodious, occasioned by Two Houses and a small Yard projecting into the said Lane on the North Side thereof, which Houses and Yard are now in the Occupation of John Latham, John Williams, and George Spencer: And whereas the Passage of the said High Street is greatly obstructed by a certain House belonging to the Prebend of Hoxton Precinct, and let or leased to Richard Rose, a Carpenter, standing upon a small detached Piece of Ground at the North East Corner of the said High Street, near the Church: And whereas the said Entrance of the Road from Kingsland, into the said High Street called Holywell Street, is very narrow and dangerous; and it would be greatly for the Benefit of the Publick, if the Houses from the Corner of the High Street, on the North East Side, as far as a certain House known by the Sign of The Cherry Tree, were taken down, and rebuilt further back; and also that the other Houses and Premisses, before described in the said High Street and Hog Lane, were removed so far back as to render the several Passages safe and commodious; be it further enacted by the Authority aforesaid, That the said Commissioners, or any Nine or more of them, shall have full Power and Authority to treat and agree with the Owners and Occupiers of, and all other Persons interested in, such of the said Houses and Premisses as the said Commissioners, or any Nine or more of them, shall think necessary to be purchased for opening the said Streets and Passages, and to purchase and become possessed

Houses necessary to be pulled down, may be purchased by the Commissioners.

ſeſſed of the ſame; and upon Payment of ſuch Sum or Sums of Money as ſhall be agreed upon for ſuch Purchaſes, to cauſe ſuch Houſes and Buildings, or ſo much thereof as ſhall be neceſſary, to be pulled down, and ſuch Grounds, or ſo much thereof as ſhall be neceſſary, to be laid into the ſaid Streets, Ways, and Paſſages, for the widening and improving the ſame, and to pay the Purchaſe-money, and all Expences attending ſuch Purchaſes, out of any Monies ariſing by virtue of this Act.

Commiſſioners may contract for the Sale of Lands.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Truſtees, and Feoffees in Truſt, Guardians, and Committees for Lunaticks and Ideots, Executors, Adminiſtrators, and Guardians whatſoever, not only for and on Behalf of themſelves, their Heirs, and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Ideots, Femes-covert, or other Perſons whatſoever, and to and for all Femes-covert who are or ſhall be ſeiſed in their own Right, and to and for all and every Perſon and Perſons whomſoever, who are or ſhall be ſeiſed or poſſeſſed of, or intereſted in, any of the ſaid Lands, Tenements, or Hereditaments, to ſell and convey all or any of the ſaid Lands, Tenements, or Hereditaments, Eſtates, and Intereſts, or any Part thereof, to the ſaid Commiſſioners, or any Nine or more of them; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which ſhall be made by ſuch Perſons as aforeſaid, ſhall be good and valid in Law to all Intents and Purpoſes, not only to convey the Eſtate and Intereſt of the Perſon and Perſons conveying, but alſo to convey all Right, Title, Intereſt, Uſe, Property, Claim, and Demand whatſoever, of their ſeveral and reſpective Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Ideots, Femes-covert, or other Perſons whomſoever, and all claiming, or to claim, by, from, or under them; any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary thereof in any wiſe notwithſtanding: And all ſuch Perſons ſo conveying as aforeſaid ſhall be, and are hereby, indemnified for what they ſhall do by virtue or in purſuance of this Act, notwithſtanding any Omiſſion or Miſtake of Matter of Form whatſoever: And if it ſhall happen that any Perſon or Perſons, Bodies Politick, Corporate, or Collegiate, or other Perſon or Perſons ſeiſed or poſſeſſed of, or intereſted in, any ſuch Lands, Tenements, or Hereditaments, as aforeſaid, ſhall refuſe to treat or agree for the Sale and Conveyance of their reſpective Eſtates and Intereſts

Perſons refuſing to treat,

therein, with the ſaid Commiſſioners, or with any Perſon or Perſons authorized by them, or ſhall not produce and evince a clear Title to the Premiſſes they are in Poſſeſſion of, or to the Intereſt they claim, to the Satisfaction of the ſaid Commiſſioners, or of the Perſon or Perſons ſo authorized by them; then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and impowered to iſſue a Warrant or Warrants, Precept or Precepts, directed to the Sheriff of the County of Middleſex, who is hereby authorized, directed, and required accordingly to impanel, ſummon, and return, a competent Number of ſubſtantial and diſintereſted Perſons, qualified to ſerve on Juries, not leſs than Forty eight, nor more than Seventy two; and out of ſuch Perſons ſo impanelled, ſummoned, and returned, a Jury of Twelve Men ſhall be drawn by ſome Perſon to be by the ſaid Commiſſioners appointed, in ſuch Manner as Juries for Trial of Iſſues joined in His Majeſty's Courts at Weſtminſter, by an Act made in the Third Year of the Reign of King George the Second, intituled, An Act for the better Regulation of Juries, are directed to be drawn; which Perſons ſo to be impanelled, ſummoned, and returned as aforeſaid, are hereby required to come and appear before the ſaid Commiſſioners, or any Five or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants, Precept or Precepts, ſhall be directed and appointed; and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen, but ſhall not be at Liberty to challenge the Array; and the ſaid Commiſſioners, or any Five or more of them, are hereby authorized and impowered, by Precept or Precepts, from time to time, as Occaſion ſhall require, to call before them all and every Perſon and Perſons whomſoever, who ſhall be thought proper or neceſſary to be examined as a Witneſs or Witneſſes before them, on their Oath or Oaths, touching and concerning the Premiſſes; and the ſaid Commiſſioners, or any Five or more of them, if they think fit, ſhall and may likewiſe authorize the ſaid Jury to view the Place or Places in Queſtion, in ſuch Manner as they ſhall direct; and the ſaid Commiſſioners, or any Five or more of them, ſhall have Power to adjourn ſuch Meeting, from Day to Day, as Occaſion ſhall require, and to command ſuch Jury, Witneſſes, and Parties, to attend, until all ſuch Affairs for which they were ſummoned ſhall be concluded; and the ſaid Jury, upon their Oaths (which Oaths, as alſo the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence,

Commiſſioners to iſſue a Warrant to the Sheriff, &c. to ſummon a Jury,

who are to be drawn as the Act 3 *Geo.* II. directs.

Jurors may be challenged.

Witneſſes may be examined upon Oath, &c.

Jury to aſſeſs the Damages.

the ſaid Commiſſioners, or any Five or more of them, are hereby impowered to adminiſter) ſhall enquire of and aſſeſs the Value of ſuch Lands, Tenements, and Hereditaments, and of the proportionable Value of the reſpective Eſtates and Intereſts claimed therein, or in any Part thereof; and the ſaid Commiſſioners, or any Five or more of them, ſhall and may give Judgement, that the Sum or Sums of Money ſo to be aſſeſſed be the Value of ſuch Lands, Tenements, or Hereditaments, and of ſuch reſpective Eſtates and Intereſts therein; which ſaid Verdict or Verdicts, and the ſaid Judgement thereupon (Notice in Writing being given to the Perſon or Perſons intereſted, or claiming ſo to be, at leaſt Fourteen Days before the Time of the Meeting of the ſaid Commiſſioners and Jury, by leaving ſuch Notice at the Dwelling-houſe of ſuch Perſon or Perſons, or at his, her, or their uſual Place or Places of Abode, or with ſome Tenant or Occupier of ſome of the ſaid Lands, Tenements, or Hereditaments, intended to be valued and aſſeſſed, in caſe ſuch Party cannot otherwiſe be found out to be ſerved with ſuch Notice) ſhall be binding and concluſive as to Value, as well againſt the King's Majeſty, His Heirs, and Succeſſors, as againſt every other Perſon or Perſons, Bodies Politick and Corporate, and againſt all other Perſons whomſoever, claiming any Eſtate, Right, Title, Truſt, Uſe, or Intereſt, in, to, or out of, the ſaid Lands, Tenements, or Hereditaments, and Premiſſes, either in Poſſeſſion, Reverſion, Remainder, or Expectancy.

Commiſſioners to give final Judgement thereon.

Previous Notice to be given to Parties intereſted.

And be it further enacted and declared, That upon Payment of the Sum or Sums of Money ſo to be awarded or adjudged, to the Perſon or Perſons to whom the ſame ſhall be ſo awarded, for the Purchaſe of the ſaid Lands, Tenements, or Hereditaments, or for the Purchaſe of any Eſtate or Intereſt therein, ſuch Perſon or Perſons ſhall make and execute, or procure to be made and executed, good, valid, and legal Conveyances, Aſſignments, and Aſſurances, in the Law, to the ſaid Commiſſioners, of the ſaid Lands, Tenements, and Hereditaments, or of ſuch Eſtate or Intereſt for which ſuch Sum or Sums of Money ſhall be ſo awarded; and ſhall procure all neceſſary Parties to execute ſuch Conveyances, Aſſignments, and Aſſurances, and ſhall do all Acts, Matters, and Things neceſſary to make good, clear, and perfect Title to the ſaid Commiſſioners: And in caſe the Perſon or Perſons to whom ſuch Sum or Sums ſhall be awarded as aforeſaid, ſhall not be able to evince their Title to the Premiſſes to the Satisfaction of the ſaid Commiſſioners, or any Nine or more of them, and to make, or procure

Upon Payment of the Value aſſeſſed, Premiſſes to be conveyed to the Commiſſioners.

Where a good Title cannot be made, or legal Conveyance executed, &c.

to

to be made, good, valid, and legal Conveyances thereof, or shall refuse so to do, being thereto required, and the Sum or Sums so assessed and awarded being produced and tendered to be paid to him, her, or them, on their making such Title, and executing, or procuring to be executed, such Conveyances, Assignments, or Assurances, as aforesaid; or in case such Person or Persons, to whom such Sum or Sums of Money shall be so awarded, cannot be found; then, and in every such Case, it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, to order the said Sum or Sums of Money, so assessed and awarded as the Value of, and Purchase-money for, the said Lands, Tenements, and Hereditaments, as aforesaid, to be paid into the Bank of England, in the Name, and with the Privity, of the Accountant General of the High Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them) subject to the Order, Controul, and Disposition, of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum, or any Part thereof, by Motion or Petition, shall be, and is hereby impowered, in a summary Way of Proceeding, or otherwise, as to the same Court shall seem meet, to order Distribution thereof according to the respective Estate or Estates, Title, or Interest, of the Person or Persons making Claim thereunto, of, in, or to, such Lands, Tenements, and Hereditaments, to be made appear to, and to be declared by, the said Court, and according to the Value thereof assessed as aforesaid, and to make such other Order in the Premisses as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of England, who shall receive such Sum and Sums, is and are hereby required to give a Receipt or Receipts for such Sum or Sums, mentioning and specifying for what Premisses, and for whose Use, the same is or are received, to such Person as shall pay any such Sum or Sums into the Bank of England, as aforesaid.

or the Parties are not to be found, &c.

Verdicts, &c. to be registered.

And be it further enacted, That a Memorial of all such Verdicts, Judgements, Sentences, Decrees, and Orders, of the said Commissioners and Juries, as relate to or concern any such Lands, Tenements, or Hereditaments, so to be purchased, shall be entered in the Office appointed for registering Deeds, Conveyances, Wills, and other Incumbrances within the County of Middlesex; and the said Verdicts, Judgements, Sentences, Decrees, and Orders, shall be deemed and

taken to be Records to all Intents and Purposes whatsoever; and the same, or true Copies thereof, shall be deemed and taken to be good and effectual Evidence and Proof in any Court or Courts of Law or Equity whatsoever; and all Persons shall and may have Recourse to the same gratis, and take Copies thereof, paying for every Copy not exceeding Two hundred Words, Six Pence, and so proportionably for any greater or lesser Number of Words; and immediately after such Verdicts, Judgements, Sentences, Decrees, and Orders, of the said Commissioners and Juries, and Payment into the Bank as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons to whose Credit such Money shall be paid, in, to, and out of, the said Lands, Tenements, Hereditaments, and Premisses, shall vest in the said Commissioners, and they shall be deemed in Law to be in the actual Possession thereof to all Intents and Purposes whatsoever, as fully and effectually, as if every Person having any Estate in the Premisses had actually conveyed the same by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery and Seisin, Fine and Recovery, or any other Conveyance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand, of the Person or Persons to whose Credit such Payment shall have been made, but also shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife or Wives of such Person or Persons, and all Estates Tail in Reversion or Remainder, and the Issue or Issues of such Person or Persons, and every Person claiming under them, as effectually as a Fine or Recovery would do if levied or suffered by the proper Parties in due Form of Law.

Copies good Evidence.

On such Payment, Premisses to vest in the Commissioners.

Provided always, and be it further enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, after such Payment into the Bank as aforesaid, and before any Application in respect thereof to the said Court of Chancery, at the Petition of any Person or Persons in Possession of such Lands, Tenements, or Hereditaments, to place out or invest, or cause to be placed out or invested, such Sum or Sums of Money, or any Part thereof, in some of the Publick Funds, or on Government Security, at Interest, in the Name of any Person or Persons authorized and appointed by the said Commissioners for that Purpose, in Trust to transfer and assign the same to the Person or Persons to whom the Premisses belong, on

Commissioners may invest Money in the Publick Funds, &c.

their executing proper Conveyances thereof, and in the mean Time in Trust to pay the Interest and Dividends arising therefrom to the Person or Persons who was or were in Possession of the said Premisses at the Time of the said Payment into the Bank.

Persons intitled to meine Profits, to be intitled to the Interest of the Purchase-money.

Provided also, and be it further enacted, That all and every Person or Persons, who shall be intitled to recover the meine Profits of the Premisses against the Person or Persons in Possession, in case the same had not been so conveyed to, or vested in, the said Commissioners as aforesaid, shall be intitled to recover the Sum or Sums to arise from such Interest and Dividends as aforesaid, by Action of Debt, or otherwise, against the Person or Persons who shall receive the same; and the said Commissioners, or any Seven or more of them, are hereby impowered to make such Orders as aforesaid on the Bank for the Payment of such Sum or Sums of Money, or any Part thereof, as shall be necessary, in order to the same being so invested in publick Securities; and the said Commissioners shall be quieted in the Possession of the Lands, Tenements, and Hereditaments, for which such Money shall be so paid as aforesaid, and shall not be answerable or accountable in any Court of Law or Equity for the Money so deposited and placed out as aforesaid, any otherwise than according to the Tenor, Purport, and true Meaning of this Act.

Commissioners to order the same to be paid accordingly.

If Money not tendered, the Verdicts and Judgements not to be binding.

Provided always, and be it further enacted, That in case the said Sum or Sums so assessed by the said Jury, and ordered and adjudged by the said Commissioners to be paid to the Owners, Occupiers, and others, for their respective Interests in the Premisses aforesaid, shall not be paid, tendered, or deposited by the said Commissioners as herein directed, within Six Calendar Months after the same shall have been so assessed, ordered, and adjudged; then, and in such Case, the Verdict of the said Jury, and the Order and Adjudication of the said Commissioners, shall not be binding upon the said Parties; any thing herein contained to the contrary notwithstanding.

Purchase-monies of Premisses held in Trust, to be invested in other Purchases to the same Uses.

And be it further enacted by the Authority aforesaid, That the Principal Money arising from the Sale of any Houses, Edifices, Lands, Tenements, or Hereditaments, which shall be purchased for the Purposes contained in this Act, of any Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, or other Trustees, or from any Feme Covert, shall be paid to such Persons as they shall respectively nominate to receive the same, in Trust, with

with all convenient Speed then afterwards, to be re-invested in the Purchase of other Messuages, Lands, Tenements, and Hereditaments, to be conveyed and settled to and upon, and subject to, the like Uses, Trusts, Limitations, Remainders, and Contingencies, as the Houses, Edifices, Lands, Tenements, and Hereditaments, which shall be purchased of them respectively by the said Commissioners as aforesaid, were respectively settled, limited, or assured, at the Time of such Purchase, or so many thereof as, at the Time of making such Conveyances and Settlements, shall be existing and capable of taking Effect.

Conveyances by Femes-covert inrolled to be effectual;

And be it further enacted, That the Conveyance of any such Estate or Interest of any Feme-covert to the said Commissioners, or any Person or Persons in Trust for them, by Bargain and Sale acknowleged by such Feme-covert, and to be inrolled in the said Office appointed for registering Deeds, Conveyances, Wills, and other Incumbrances, within the County of Middlesex, within Six Calendar Months after the making thereof, shall as effectually and absolutely convey the Estate and Interest of such Feme-covert in the Premisses, as any Fine or Fines, Recovery or Recoveries, would or could do if levied or suffered thereof in due Form of Law: And further, that all Bargains and Sales whatsoever to be made of any such Lands, Tenements, and Hereditaments, as shall be purchased by the said Commissioners by virtue of and for the Purposes of this Act, shall have the Force, Effect, and Operation, in Law, to all Intents and Purposes, which any Fine or Fines, Recovery or Recoveries whatsoever, would have if levied or suffered by the Bargainer or Bargainers, or any Person or Persons seised of any Estate in the Premisses in Trust for or to the Use of such Bargainer or Bargainers in any legal Manner or Form whatsoever.

and so all other Bargains and Sales for the Purposes of this Act.

Persons having any Right, &c. in Lands so purchased, to enter their Claims within a limited Time or be debarred:

And be it further enacted, That all and every Person and Persons whomsoever having any Right, Title, Interest, Use, Property, Claim, or Demand whatsoever, whether in Possession, Reversion, Remainder, or Expectancy, in, to, or out of, any Lands, Tenements, or Hereditaments, which, by Virtue and for the Purposes of this Act, shall be purchased by, and conveyed or mentioned, or intended to be conveyed to, the said Commissioners by any such Bargain and Sale as aforesaid, shall, within the Space of Five Years, to be computed from the Date of the Inrolment of such Bargain and Sale, enter a Memorial of such their Right, Title, Interest,

tereſt, Uſe, Property, Claim, and Demand, in a Book to be for that Purpoſe prepared and kept by the Clerk appointed by the ſaid Commiſſioners; which Book ſuch Clerk is hereby required to prepare and keep accordingly, and for which Entry he ſhall be intitled to ſuch Fee, and no other, as the Regiſter of the County of Middleſex is by Law intitled to for the Regiſtry of a Memorial containing the ſame Number of Words: And all and every Perſon or Perſons whomſoever not entering ſuch Right, Claim, and Demand, within ſuch Time, and in ſuch Manner, as aforeſaid, or having ſo entered the ſame, and not proſecuting ſuch their Right, Claim, or Demand, with Effect, within the Space of Five Years, to be computed from the Time of ſuch Entry, ſhall be for ever barred of all Right, Title, Uſe, Equity, Property, Claim, or Demand whatſoever, whether in Poſſeſſion, Reverſion, Remainder, or Expectancy, in, to, upon, or out of, the ſaid Premiſſes, and every Part thereof; and the ſaid Commiſſioners, and thoſe claiming by, from, or under them, ſhall be quieted in the Poſſeſſion of all ſuch Lands, Tenements, Hereditaments, and Premiſſes; any Law, Statute, Uſage, Matter, or Thing whatſoever, to the contrary notwithſtanding.

But at Liberty to recover the Purchaſe money from Perſons receiving the ſame.

Provided nevertheleſs, and be it further enacted, That any Perſon or Perſons barred of any Right, Title, Eſtate, Intereſt, Claim, or Demand whatſoever, in, to, or out of, the ſaid Lands, Tenements, and Hereditaments, by virtue of this Act, ſhall be at Liberty to bring any Action or Actions of Debt for Money had and received to his or their Uſe againſt any Perſon or Perſons, or the legal Repreſentative of any Perſon or Perſons, who received the Purchaſe-money ariſing from ſuch Sale of the ſaid Lands, Tenements, Hereditaments, and Premiſſes aforeſaid; and that in every ſuch Caſe the reſpective Plaintiffs, on Proof of ſuch Title as would have enabled them to recover ſuch Lands, Tenements, or Hereditaments, or any Part thereof, or any Eſtate or Intereſt in the ſame, ſhall recover the ſaid Purchaſe-money, or ſo much thereof as ſhall be equivalent to their Intereſt in the ſaid Premiſſes, together with ſuch Intereſt as ſhall be equivalent to the meſne Profits of the Premiſſes which they ſhould have been intitled to recover in caſe this Act had not been made.

After Purchaſe, Tenants to deliver Poſſeſſion within Six Months after Notice.

And be it further enacted, That all and every Tenant at Will, or Leſſee for a Year, or other Perſon or Perſons in Poſſeſſion of any ſuch Lands, Tenements, Hereditaments, and Premiſſes, or any Part thereof, which ſhall be purchaſed by the ſaid Commiſſioners as aforeſaid, and

and who shall have no greater Interest in the Premisses than as Tenant at Will, or as Lessee by Parole for a Year, or from Year to Year, shall, at the Expiration of Six Calendar Months after Notice in Writing left upon the Premisses, or so soon after as he or they shall be required, peaceably and quietly deliver up the Possession of the said Premisses to the said Commissioners, or any Person authorized by them, or any Five or more of them, to take Possession thereof; and in case any such Person or Persons shall refuse to give such Possession, then it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to issue their Precept or Precepts to the Sheriff of the said County of Middlesex, to deliver Possession of the Premisses to such Person or Persons as shall, in such Precept or Precepts, be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession accordingly of the said Premisses, and to levy such Costs as shall accrue from the Issuing and Execution of such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

On Refusal, Commissioners to issue a Precept to the Sheriffs to deliver Possession.

And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on such Lands, Tenements, and Hereditaments, now being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on the Tender of the Principal Money and Interest due thereon, together with Six Months Interest of the said Principal Money, by the said Commissioners, or any Five or more of them, or by such Person or Persons as they shall appoint, immediately assign such Mortgage or Mortgages to the said Commissioners, or any Five or more of them, or to such Person or Persons as they shall appoint, in Trust for them; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Commissioners, or any Five or more of them, that they will pay off and discharge the Principal and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Six Calendar Months, to be computed from such Notice given; that then, at the End of the said Six Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall assign his, her, or their Interest in the Premisses to the said Commissioners, or such Person or Persons as they, or any Five or more of them, shall appoint, in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to assign as aforesaid on such Tender or Payment, that

Mortgagees, on Tender of Principal and Interest, to convey.

On Refusal, Interest to cease.

then all Interest on every such Mortgage shall cease and determine.

Premisses to vest in the Commissioners.

And be it further enacted, That upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid into the Bank, at the End of Six Calendar Months from such Notice as aforesaid, for the Use of the Mortgagee or Mortagees, the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money in like Manner as is herein before directed in Cases of other Payments into the Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, of the said Mortgagee or Mortgagees, and of every Person or Persons in Trust for him or them, shall vest in the said Commissioners, and they shall be deemed to be in the actual Possession of the Premisses comprized in such Mortgage or Mortgages to all Intents and Purposes whatsoever.

Monies to be paid or tendered before Use made of the Premisses.

And be it further enacted, That all Sums of Money to be paid pursuant to any such Agreement or Verdict as aforesaid, or on any such Mortgage, shall be and are hereby charged and chargeable upon all Monies which shall be raised or received for the Purposes of this Act, and shall be tendered to the Party or Parties intitled to the same; and in case of Refusal to accept the same, shall be paid into the Bank of England in the Names of any Person or Persons appointed by the said Commissioners, or any Five or more of them, for that Purpose, in Trust for such Person or Persons as shall be intitled to receive the same before the said Commissioners shall proceed to pull down any House or Houses, or other Erections or Buildings, or to use the Ground for any of the Purposes of this Act.

Power to fine Sheriffs, &c. for not attending.

And be it further enacted, That the said Commissioners, or any Five or more of them, shall have Power, from time to time, to impose any reasonable Fine, not exceeding the Sum of Ten Pounds, on the said Sheriff, or his Deputy or Deputies, Bailiffs or Agents respectively, making Default in the Premisses; and on any of the Persons who shall be summoned and returned on any such Jury or Juries who shall not appear, or who shall refuse to be sworn on the said Jury or Juries, or being so sworn shall not give his or their Verdict; and also on any Person or Persons who shall be summoned to give Evidence touching any of the Matters aforesaid, and shall not attend, or shall refuse to be sworn, or who being sworn shall refuse to give

his, her, or their Evidence; and on any other Person or Persons who shall in any other Matter wilfully neglect his, her, or their Duty in the Premisses, contrary to the true Intent and Meaning of this Act; and, from time to time, to levy such Fine or Fines by Order of the said Commissioners, or any Five or more of them, by Distress and Sale of the Offender's Goods, together with the reasonable Charges of every such Distress and Sale, returning the Overplus (if any) to the Owner; and all such Fines shall be applied for the Purposes of this Act.

Commissioners may sell Lands.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, to let, sell, or dispose of, so much or such Parts of such Houses, Lands, and Premisses, as shall not be necessary for the widening of the said Streets or Passages, for the best Price that can be gotten for the same, applying the Money arising thereby for the Purposes of this Act.

Penalties may be mitigated.

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

Persons aggrieved may appeal to the Quarter Sessions.

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

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

Penalties and Forfeitures how to be recovered and applied.

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

less such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied.

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

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

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

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

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

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

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

Provided always, That no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed, or caused to be committed, any such Irregularity, Trespass, or wrongful Proceedings, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit; whereupon such Proceedings, or Orders and Judgements, shall be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Writings to be without Stamps.

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

Proceedings to be entered in a Book.

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

Books may be read in Evidence.

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

nor removeable by *Certiorari*.

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

Weſtminſter; any Law or Statute to the contrary notwithſtanding.

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

Limitation of Actions.

General Iſſue.

Treble Coſts.

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

Publick Act.

FINIS.