

ANNO QUINTO

GEORGII IV. REGIS.

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CAP. C.

An Act for more effectually paving, lighting, watching, cleansing, and regulating the *Regent's Park*, together with the New Street from the *Regent's Park* to *Pall Mall*, and the new Streets and Improvements in the Neighbourhood of *Parliament Street* and *Privy Gardens*; and for maintaining a convenient Sewage for the same.

[21st *June* 1824.]

WHEREAS His Majesty is seised of or entitled to certain Pieces or Plots of Ground situate in the several Parishes of *Saint Mary-le-bone* and *Saint Pancras* in the County of *Middlesex*, lately called *Mary-le-bone Park*, and now called *The Regent's Park*, containing in the Whole Five hundred and forty Acres, or thereabouts: And whereas several Streets, Squares, Circuses, Gardens, Terraces, Roads, Ways, Passages, and Places have been made and laid out on the said Pieces and Plots of Ground within the said Park, and Houses and Buildings have been erected therein, and many more are in Progress, and intended to be laid out and completed within the said Park: And whereas an Act was passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for paving and otherwise improving* 53G.3.c.lxii.

proving certain Streets and other public Passages and Places which are or shall be made upon certain Pieces of Ground belonging to His Majesty, in the several Parishes of Saint Mary-le-bone *and* Saint Pancras *in the County of* Middlesex, *called* Mary-le-bone Park; by which said Act Commissioners were appointed for paving, lighting, watching, cleansing, and regulating the said Streets, Squares, Circuses, Terraces, Roads, Ways, Passages, and Places then made and laid out or thereafter to be made and laid out within the said Park, then called *Mary-le-bone Park*, but now called *The Regent's Park*; and also for inclosing the Centres and Areas of the said Squares, Circuses, and Terraces, and embellishing, planting, ornamenting, maintaining, and supporting the same, and other Inclosures and ornamental Grounds within the same Park; which Centres or Areas have accordingly been in many Places inclosed, and the said Inclosures and ornamental Grounds have been embellished and planted, and others are in Progress: And whereas another Act was passed in the Fifty-third
53G.3.c.121. Year of the same Reign, intituled *An Act for making a more convenient Communication from* Mary-le-bone Park *and the Northern Parts of the Metropolis in the Parish of* Saint Mary-le-bone *to* Charing Cross *within the Liberty of* Westminster, *and for making a more convenient Sewage for the same:* And whereas the Commissioners appointed for carrying the said last recited Act into Execution have, under the Provisions thereof, made and laid out a new principal Street, now called *Regent Street*, from the Southern End of *Portland Place* in the Parish of *Saint Mary-le-bone* to *Pall Mall* in the Liberty of *Westminster*, together with several Branch Streets communicating therewith; and have also opened and improved the Eastern End of *Pall Mall*, and laid out several new Streets and made Improvements in and about *Cockspur Street* and *Charing Cross* aforesaid; and the Commissioners for the Purpose appointed by virtue of the same Act have, under the Powers therein contained, constructed a new principal or common Sewer, extending from the South End of *Mary-le-bone Park* aforesaid (now called *The Regent's Park*) at or near *Portland Place*, under the Street called *Portland Place*, along the Whole of the said principal new Street, made in pursuance of the said last-mentioned Act, to *Charing Cross*, and from thence along the public Street to *Scotland Yard*, into the River *Thames*, with several Drains and Watercourses communicating with such principal or common Sewer, for the more effectual Drainage of the said Streets, Squares, Circuses, Terraces, Ways, Roads, Passages, and Places in the *Regent's Park* aforesaid, and the said new Streets and Improvements made and laid out under the Authority of the said last-mentioned Act: And whereas another Act was passed in the Fifty-sixth Year of the Reign of His said late
56G.3.c.128. Majesty King *George* the Third, intituled *An Act to amend Two Acts, made in the Fifty-third Year of the Reign of His present Majesty, for opening a more convenient Communication from* Mary-le-bone Park *to* Charing Cross, *and for paving the Streets to be made in* Mary-le-bone Park, *and to enable His Majesty to grant small Portions of Land as Sites for Public Buildings, or to be used as Cemeteries, within the Bills of Mortality;* by which said Act Commissioners were appointed for

paving and improving the said principal new Street and Branch Streets, and other Inprovements made under the Provisions of the said recited Act of the Fifty-third Year of the Reign of His late Majesty: And whereas the Commissioners of His Majesty's Woods, Forests, and Land Revenues have made and laid out certain Terraces, Streets, and Improvements, in the Neighbourhood of *Charing Cross*, *Street*, *Whitehall Street*, *Parliament Street*, and *Privy Gardens*, in the City of *Westminster*; and amongst other Places there, have laid out a Terrace, and erected Houses and Buildings, extending from *Parliament Street* towards the River *Thames*, on the Site of a Messuage or Dwelling House belonging to the Crown, and lately on Lease to the Duke of *Richmond*, and which Terrace and Houses and Buildings is and are called or intended to be called *Richmond Terrace*; and it would contribute to the Benefit and Advantage of the Inhabitants of the said Houses in *Richmond Terrace* aforesaid, if the Space in Front thereof, and towards the said River *Thames*, were inclosed and laid out as Gardens and ornamental Pleasure Grounds: And whereas no Provision is made for that Purpose, or for paving, lighting, watching, cleansing, watering, and regulating the same Terrace, and the other Streets, Places, and Improvements, in the Neighbourhood thereof, and of *Charing Cross Street*, *Whitehall Street*, *Parliament Street*, and *Privy Gardens*, so made and making by the Commissioners of His Majesty's Woods, Forests, and Land Revenues as aforesaid: And whereas all the said several Streets, Squares, Circuses, Terraces, Roads, Ways, Passages, Places, and Improvements herein-before mentioned, or a great Portion thereof, together with so much of the High Street leading from *Charing Cross* towards *Westminster Hall*, as extends from *Buckingham Court* on the North to and including the Mews or Stable Yard lately formed or intended to be formed behind the said Houses on *Richmond Terrace* on the South, being made and set out on Land belonging to His Majesty, could be more conveniently paved, lighted, watered, watched, cleansed, and regulated, if all the said Circuses, Streets, Squares, Terraces, Courts, Ways, Passages, and Places, and Improvements, were put under the Superintendence of one Body of Commissioners; and if the same Commissioners were also appointed Commissioners of Sewers, for maintaining and supporting the said New Sewer and Drains; and it is therefore necessary and expedient to repeal the said first recited Act of the Fifty-third Year aforesaid, and the said recited Act of the Fifty-sixth Year aforesaid, and also so much of the said last recited Act of the Fifty-third Year aforesaid as appoints Commissioners of Sewers, and relates to the Powers of such Commissioners, and to make new Provisions for appointing one Body of Commissioners to superintend the Whole of the Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, Places, and Improvements set out and delineated on the Maps and Plans herein-after mentioned and referred to, and for giving to the Commissioners so to be appointed Powers for paving, lighting, watching, watering, cleansing, and regulating all the said Streets, Squares, Circuses, Gardens, Terraces, Roads, Ways, Courts, Passages, and Places, as well in the *Regent's*

Regent's Park aforesaid as in the said new Improvements made or to be made under the said secondly recited Act of the Fifty-third Year aforesaid, and the said Improvements made or to be made in the Neighbourhood of *Charing Cross Street*, *Whitehall Street*, *Parliament Street*, and *Privy Gardens* aforesaid, and for maintaining Gardens, Shrubberies, and ornamental Grounds in the *Regent's Park* aforesaid, and for the Use of the Inhabitants of the Houses in the other Streets, Squares, Terraces, Ways, Roads, and Places last aforesaid: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said first recited Act of the Fifty-third Year of the Reign of His said late Majesty (except so much thereof as repeals any Provisions in any former Act), and the said recited Act of the Fifty-sixth Year of the same Reign (except so much thereof as repeals any Provisions in any former Acts), and also so much of the said secondly recited Act of the Fifty-third Year of His late Majesty's Reign as appoints Commissioners of Sewers, and relates to the Powers of such Commissioners, shall be and the same are hereby repealed.

Recited Acts 53 G. 3. c. lxii. and 56 G. 3. c. 128., and so much of 53 G. 3. c. 121. as appoints Commissioners of Sewers, repealed.

Appointment of Commissioners.

II. And be it further enacted, That the Lord High Treasurer, and the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, and the Commissioners of His Majesty's Woods, Forests, and Land Revenues for the Time being, and such other Person or Persons as shall be nominated, and appointed in Manner herein-after mentioned, shall be Commissioners for paving, lighting, watching, cleansing, and otherwise regulating and improving the several Streets, Squares, Circuses, Gardens, Ways, Passages, Courts, and Places made and laid out, or hereafter to be made and laid out, within the Limits herein-before mentioned, and herein-after more particularly described, and for other the Purposes of this Act.

Power to appoint additional Commissioners.

III. And be it further enacted, That it shall be lawful for the said Lord High Treasurer or the Commissioners of the Treasury for the Time being, and the said Commissioners of His Majesty's Woods, Forests, and Land Revenues for the Time being, or any Three or more of them, at any Meeting to be held by virtue of this Act, by any Writing under their Hands and Seals, to elect and appoint any other Person or Persons to be a Commissioner or Commissioners for carrying this Act into Execution; and every Person or Persons who shall be so elected and appointed is and are hereby vested with the same Powers and Authorities as if he or they had been named in this present Act, and had been hereby appointed a Commissioner or Commissioners for carrying this Act into Execution.

Qualification of Commissioners.

IV. Provided always, and be it further enacted, That no Person who shall be so elected and appointed shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall be in his own Right

Right, or in Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear Yearly Value of Fifty Pounds, or possessed of a Personal Estate of the Value of Two thousand Pounds.

Penalty on Commissioners acting without being qualified, or being concerned in any Contract under the Act.

V. Provided also, and be it further enacted, That if any Person hereafter to be elected a Commissioner for the Purposes of this Act, not being so qualified, shall presume to act in the Execution of this Act, or being so qualified shall, during such Time as he shall hold any Place or Office of Profit, or be in any Way interested or concerned in any Contract to be made by virtue of this Act, or any Work or Business to be done under the same, presume to act as a Commissioner in the Execution of this Act, he shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds, together with full Costs of Suit, to any Person who shall sue for the same in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or otherwise; and the Person so sued shall prove that he is qualified as aforesaid, or that he did not hold any such Place or Office of Profit, or was not interested or concerned in any such Contract, Work, or Business as aforesaid, as the Case may happen, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff than that such Person had acted as a Commissioner in the Execution of this Act, or whilst holding any such Place or Office, or being interested or concerned in any such Contract, Work or Business as aforesaid.

Meeting of Commissioners.

VI. And be it further enacted, That the said Commissioners shall meet at such Time and Place as any Three or more of them shall appoint, by Notice to be signed by them, and affixed on the Doors of the Parish Churches of the Parishes of *Saint James* in the Liberty of *Westminster*, *Saint Mary-le-bone*, *Saint Martin-in-the-Fields*, *Saint George Hanover Square*, *Saint Pancras*, and *Saint Margaret Westminster*, at least Eight Days before such Meeting, in order to put this Act into Execution, and shall and may then and from Time to Time afterwards adjourn themselves to any Place within or near the Limits of this Act; and if at any Time there shall not appear at any such Meeting a sufficient Number of the said Commissioners appointed or to be appointed by virtue of this Act to act in the Execution of the same, any One of the said Commissioners present may adjourn the Meeting to another Day; and in Case of any Neglect or Omission to adjourn, any Three of the said Commissioners or their Clerk shall and may call a Meeting, by Notice or Summons, to be delivered at the usual Place of Abode of all such Commissioners, at least Three Days before such Meeting; and that at all Meetings to be held in pursuance of this Act the said Commissioners shall defray their own Expences (except for the Use of the Room or Apartment where such Meetings shall be held, which shall be paid out of the Rates or Assessments herein-after directed to be made and levied); and no Act of the said Commissioners shall be valid, unless made or done at some Meeting to be held by virtue of this Act (except the calling of Meetings as aforesaid); and that all the Powers and Authorities by this Act granted

granted to or vested in the Commissioners appointed or to be appointed by or by virtue hereof, shall and may from Time to Time be exercised by the major Part of them present at their respective Meetings to be holden as aforesaid, the Number of Commissioners present at such Meeting not being less than Three, for the Purpose of borrowing Money, granting Annuities, or making Contracts, and not being less than Two in any other Case, unless herein otherwise particularly provided; and in all Cases where the Number of Votes upon any Question shall be equal (including the Chairman's Vote), the Chairman shall have the casting Vote; and at every Meeting to be held under or in pursuance of this Act, the first Business shall be the Election of a Chairman to preside at the same: Provided nevertheless, that it shall be lawful for the Commissioners appointed and to be appointed by or by virtue of this Act, and they are hereby authorized to hold any Special Meeting between their last Meeting and the Day to which any subsequent Meeting shall have been adjourned, so that such Meeting shall be required by Two or more of the said Commissioners, and Notice thereof given as last aforesaid, at least Three Days before the Time to be appointed for the same, and so as that such Notice shall be signed by the Clerk of the said Commissioners, and specify the Cause or Causes of such Special Meeting.

Special Meetings may be held.

Restrictions as to revoking Orders.

VII. And be it further enacted, That no Order made by the said Commissioners appointed or to be appointed by virtue of this Act shall be revoked or altered, unless at some Special Meeting to be required as aforesaid, of which Three Days Notice shall be given as last aforesaid, expressing the Occasion of such Meeting; and also unless a greater Number of Commissioners shall attend such Meeting to revoke or alter the same than were present when such Order was made.

Proceedings of Commissioners to be entered.

VIII. And be it further enacted, That Entries shall be made, in a Book or Books to be provided for that Purpose, of all the Acts, Orders, and Proceedings of the said Commissioners, and of the Names of the Commissioners who shall be present at the respective Meetings; and One or more of the said Commissioners who shall be present shall subscribe his or their Name or Names at the End of the Proceedings of the respective Meetings; and all such Entries, being so signed, shall be deemed Originals, and shall be allowed to be read in Evidence in all Causes, Suits, Actions, Prosecutions, and Proceedings, touching any Thing done in pursuance of this Act; and that such Book shall, at all seasonable Times, be open to the Inspection of all Persons rated or assessed for the Purposes of this Act.

Officers to be appointed, and to give Security.

IX. And be it further enacted, That the said Commissioners shall, from Time to Time, by Writing under their Hands, appoint a Treasurer, Clerk, and Surveyor, and also Collectors of the Rates or Assessments to be made as herein-after mentioned, and such other Offices and Persons as they shall think necessary, and may remove any such Officers or other Persons as they shall think proper, and appoint others in their Stead, and pay such Salaries and make such Allowances

ances to all such Officers or Persons as they the said Commissioners shall think reasonable; and the said Commissioners are hereby required to take Security from every such Treasurer and Collector as they shall think proper: Provided always, that all and every Officers and Officer who shall have been appointed by the Commissioners for executing the said recited Acts hereby repealed shall and may continue to execute the Duties of their respective Officers, unless the Commissioners hereby appointed shall think fit to remove such Officers, or any of them, and to appoint another or others in the Room and Stead of the Party or Parties removed.

Treasurer, Clerk, and Collector to account.

X. And be it further enacted, That every such Clerk, Treasurer, and Collector, and other Officer continued or appointed as aforesaid, shall, under their respective Hands, (at such Time or Times and in such Manner as the said Commissioners shall direct,) deliver to the said Commissioners, or to such Person or Persons as they shall appoint, a true and perfect Account in Writing of all such Matters and Things as may be committed to their Charge, and of all Monies which shall have been by them received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments; and all such Collectors shall pay all such Money as shall remain in their respective Hands; and if any such Collector as aforesaid shall at any Time or Times hold or keep in his own Hands, for the Space of Three Days together, any larger Sum of Money to be received by him under this Act than the Sum of Fifty Pounds, he shall for every such Offence forfeit and pay to the said Commissioners any Sum of Money not exceeding Five Pounds, within the Space of Ten Days next after he shall be called upon by them, or their Treasurer, to pay such Penalty; and every such Collector shall, when thereunto required by the said Commissioners assembled at any such Meeting as aforesaid, produce a Book, containing an Account of the Rates and Assessments laid by virtue of this Act which shall be in Arrear and unpaid, and the Names of the Persons by whom the same ought to be paid, with the Sums by them respectively owing, and the Time when the same became due; and every such Clerk, Treasurer, Collector, and other Officer so accounting shall upon Oath, if thereunto required by the said Commissioners (which Oath any One of the said Commissioners is hereby empowered to administer), verify such their respective Accounts; and if any such Clerk, Treasurer, Collector, or other Officer, shall refuse or wilfully neglect to 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 of any Sum or Sums of Money in his Hands or Possession, within such Time as the said Commissioners shall direct; or in case the Clerk of the said Commissioners, or any such Treasurer, Collector, or other Officer, shall not deliver to the said Commissioners, or to such Person as they shall appoint, within Fourteen Days next after being thereunto required, by Notice in Writing signed by the said Commissioners, or any Two or more of them, and given to or left at the last or usual Place of Abode of such Treasurer, Clerk, Collector,

Refusing to account.

Collector, or other Officer, all Books, Papers, and Writings in their respective Custody or Power, relating to the Execution of the said recited Acts hereby repealed, or this Act, or Duplicates thereof respectively, or give Satisfaction to the said Commissioners appointed or to be appointed under this Act respecting the same, and Complaint shall be made thereof on the Behalf of the same Commissioners to any Justice of the Peace for the County of *Middlesex*, or City of *Westminster*, or for any other County, City, or Place where such Clerk, Treasurer, Collector, or other Officer shall be or reside, such Justice is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Treasurer, Clerk, Collector, or other Officer to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath or Affirmation (which Oath or Affirmation such Justice is hereby empowered to administer or take), it shall appear to such Justice that any of the Monies which shall have been collected and raised by virtue of this Act, or of any of the said recited Acts hereby repealed, shall be in the Hands of any such Clerk, Treasurer, Collector, or other Officer, such Justice is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Person; and if no such Goods or Chattels can be found sufficient to answer and satisfy the Money, and the Charges of distraining and selling the Distress, or if it shall, in Manner aforesaid, appear to such Justice that any such Treasurer, Clerk, Collector, or other Officer, had refused or wilfully neglected to render and give such Account, or to verify the same as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of any such Treasurer, Clerk, Collector, or other Officer, and he shall have refused or neglected to deliver up or give Satisfaction respecting the same as aforesaid, then such Justice shall commit him to the common Gaol or House of Correction, there to remain without Bail or Mainprize until such Person, being such Clerk, Treasurer, Collector, or other Officer, shall make and give a true and perfect Account, and have paid such Money as aforesaid, or shall have compounded for such Money with the said Commissioners, and have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners are hereby empowered to make and receive), and until such Person, being such Treasurer, Clerk, Collector, or other Officer, shall deliver up all such Books, Papers, and Writings, or Duplicates of the same as aforesaid; but no Person who shall be committed on account of his not having sufficient Goods or Chattels as aforesaid shall be detained in Prison for any longer Term than Six Calendar Months.

This Act, and the Rates, to be subject to the Monies bor-

XI. And be it further enacted, That this Act, and the Rates hereby granted and authorized to be raised, shall be and they are hereby made subject and liable to the Payment of all Monies which may now be due and owing from the said Commissioners for executing the said

said first recited Act of the Fifty-third Year of the Reign of His said late Majesty, and the said recited Act of the Fifty-sixth Year of the same Reign, or either of them, and of all Interest due and to grow due thereon, as fully and effectually, to all Intents and Purposes, as if such Monies had become due and owing from the said Commissioners for executing this Act; and all and every Person and Persons who may owe, or be subject or liable to the Payment of any Sum or Sums of Money to the said Commissioners for executing the said first recited Act of the Fifty-third Year aforesaid, and the said Act of the Fifty-sixth Year aforesaid respectively, or either of them, or to any other Person or Persons for the Benefit of the said Commissioners, or either of them, shall be liable to the Payment of all such Sum and Sums of Money to the Commissioners for executing this Act; and all Bonds, Covenants, and Agreements, Contracts and Securities, entered into by any Person or Persons to or with the said Commissioners for executing the said last-mentioned Acts, or either of them, or to or with their Clerk, Treasurer, or other Officer, under or by virtue of the Powers or Directions of either of the said last-mentioned Acts, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed, on account and for the Benefit of the Commissioners for executing this Act, and shall be vested in such last-mentioned Commissioners, and shall and may be enforced and recovered upon in any Action or Suit to be brought and carried on in the Name of the Treasurer or Clerk for the Time being to the said last-mentioned Commissioners; and all Assignments, Securities, Contracts, or Agreements, duly made or entered into by the said Commissioners for executing the said first recited Act of the Fifty-third Year of the Reign of His said late Majesty, and the said Act of the Fifty-sixth Year of the same Reign respectively, or either of them, to or with any Person or Persons, shall remain in full Force and Effect, and be observed and kept by the said Commissioners for executing this Act, according to the Terms and Stipulations thereof respectively, and shall and may be enforced and recovered upon in any Action or Suit to be brought against the Clerk or Treasurer for the Time being to the said last-mentioned Commissioners, notwithstanding the Repeal of the said recited Acts.

rowed under the Acts repealed; and Contracts to continue valid.

XII. And for ascertaining the Jurisdiction of the said Commissioners, and defining the Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places to be paved, lighted, watched, watered, cleansed, and regulated, and the Gardens, Shrubberies, and ornamental Inclosures to be maintained, supported, and kept in Order under the Powers and Provisions of this Act, Three separate Maps or Plans have been made for the Purpose of being deposited in the Office of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, One of which Plans, marked Number I., and intituled "Plan of the Crown "Property in the *Regent's Park*," comprehends and describes the several Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, and the Gardens, Shrubberies, and ornamental Inclosures now laid out, and the Ground on which others may hereafter be laid out, in the *Regent's Park* aforesaid, which are and will be included in this

Jurisdiction of Commissioners defined by Maps and Plans.

this Act, and which are One Part or Portion of the Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, Gardens, Shrubberies, and ornamental Inclosures, to be paved, watched, watered, lighted, cleansed, and regulated, maintained, supported, and kept in order according to the Directions of this Act; and another of the said Maps or Plans marked Number II., and intituled "Plan "of the New Street," contains and describes the said principal Street, forming the Communication from the *Regent's Park* aforesaid to *Pall Mall*, and the several other Improvements made under the Provisions of the said secondly recited Act of the Fifty-third Year of the Reign of His said late Majesty King *George* the Third, which are to be included in this Act, and are another Part or Portion of the Streets, Squares, Circuses, Terraces, Courts, Ways, Passages, and Places, to be paved, watched, watered, lighted, cleansed, and regulated according to the Directions of this Act; and the Third Map or Plan marked Number III., and intituled "Plan of the Crown Estate in the Neighbourhood "of *Charing Cross Street, Whitehall, Privy Gardens*, and *Richmond* "*Terrace*," contains and describes so much of the High Street leading from *Charing Cross* towards *Westminster Hall* as extends from *Buckingham Court* to *Downing Street* on the West, and from and including the North Side of *Great Scotland Yard*, to and including the Site of a House lately occupied by *Hart* on the East, and including the several new Improvements made and making in *Great Scotland Yard, Whitehall Place, Little Scotland Yard, Whitehall Court, Privy Gardens*, and *Parliament Street* aforesaid; and the several Streets, Squares, Circuses, Terraces, Courts, Ways, Passages, and Places, Gardens, Shrubberies, and ornamental Inclosures, delineated and set out in the said last-mentioned Map or Plan, or which may hereafter be set out on the Ground therein described, are the Remainder of the Streets, Squares, Circuses, Terraces, Courts, Ways, Passages, and Places, Gardens, Shrubberies, and ornamental Inclosures, to be paved, watched, watered, lighted, cleansed, and regulated, maintained, supported, and kept in order, according to the Directions of this Act; be it therefore enacted, That the said Maps or Plans, after the same shall have been each severally authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, shall be deposited with and shall remain in the Custody of the Commissioners of His Majesty's Woods, Forests, and Land Revenues; and One Copy of each of the said Maps or Plans, signed by the Speaker of the House of Commons, shall be deposited in the Parliament Office; and One other Copy, so signed, shall be deposited with the Clerk of the Peace for the County of *Middlesex*, within Three Months after the passing of this Act, to the End that all Persons may at all seasonable Times have Liberty to inspect the same at their Will and Pleasure, paying the Sum of One Shilling for their Inspection; and to take Copies from the said Maps or Plans, or either of them, or from any Part or Parts thereof, paying the Sum of One Shilling for every Copy taken; and the said Maps or Plans, and the Copies thereof so signed and authenticated as aforesaid, shall be received in Evidence in all Proceedings relating to the Jurisdiction of the said Commissioners, and the Execution and Provisions of this Act.

XIII. And

Jurisdiction of Commissioners over the Regent's Park.

XIII. And be it further enacted, That the Jurisdiction, Power, and Authority of the said Commissioners appointed under this Act shall extend over all the said Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places, and the Gardens, Shrubberies, and ornamental Inclosures attached thereto, within the *Regent's Park* aforesaid, delineated and set out in the said Map or Plan marked Number I., and over the Houses, Shops, Stables, Wharfs, Warehouses, or other Buildings, with the Appurtenances standing and erected thereon, and over the Ground on which such Houses, Shops, Stables, Wharfs, Warehouses, or other Buildings, and the Appurtenances thereto, shall stand and be erected, and all the same Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places, Gardens, Shrubberies, and ornamental Inclosures, shall be paved, lighted, watched, cleansed, and regulated, maintained, supported, and kept in order, according to the Directions herein-after in this Act contained: Provided always, that so much of the said Park called *The Regent's Park*, delineated and set out on the said Map or Plan as is coloured Green, shall continue subject to the Jurisdiction and Superintendence of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and shall not be interfered with by the said Commissioners under this Act, except in maintaining the Carriage Roads and Drives set out within the same, or as to any future Premises to be placed under their Jurisdiction, as herein-after mentioned.

Commissioners to pave, &c. such of the Streets in the Regent's Park as lie to the North of the New Road.

XIV. And be it further enacted, That it shall be lawful for the said Commissioners under this Act, and they are hereby authorized and empowered, to cause the Footways of such of the said several Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places, delineated and set out on the said Map or Plan, marked Number I., or such as shall hereafter be made and laid out on the Ground contained and described therein, as are or shall be respectively situate on the North Side of the Turnpike Road called the *New Road*, to be paved, and the Carriageway of the same Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places, excepting of the Road or Roads round the said Park, and coloured Purple on the said Map or Plan, to be pitched or paved, or to be formed and repaired with broken Stone, Granite, Flint, Gravel, or other firm and sufficient Materials, as they the said Commissioners shall judge fit, upon such Levels and in such Manner as they shall judge necessary; and such Footways and Carriageways from Time to Time to be amended and kept in good Repair; and also to cause such Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places to be lighted, watched, watered, cleansed, and regulated, and the Sides thereof to be inclosed with Iron or other Rails, in such Parts and Places, and in such Manner, as the said Commissioners shall think proper, and all Obstructions, Encroachments, Nuisances, and Annoyances therein to be removed, and Drains, Sinks, Gutters, or Watercourses to be made for conveying the Water from the said Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, in such Manner as they shall think proper; and if any Person shall, without the Consent of the said Commissioners, alter the Form, or break up the Ground or Pavement of the Carriage or Footway of any of such Streets, Squares, Circuses,

Circuses, Terraces, Roads, Ways, Courts, or Places, or make the same otherwise than as directed by the said Commissioners, every Person so offending shall forfeit any Sum not exceeding Ten Pounds for every such Offence, and shall also pay all the Expences of restoring such Ground or Pavement to its former State.

Liability of the Vestrymen of St. Mary-le-bone, &c. to repair so much of the Road round the North Boundary of St. Mary-le-bone Park adjacent to the South Boundary of the Duke of Portland's Estate, called Primrose Hill, not to be affected by this Act.

XV. And whereas by the said secondly recited Act of the Fifty-third Year of the Reign of His late Majesty King *George* the Third, it was amongst other Things enacted, that the Road then forming, and granted to the Vestrymen of the Parish of *Saint Mary-le-bone*, round the Western Side of the said Park called *Mary-le-bone Park*, should be continued and formed, under the Directions of the Commissioners of His Majesty's Woods, Forests, and Land Revenues for the Time being, round the North Boundary of the said Park, adjacent to the Southern Boundary of the Duke of *Portland*'s Estate called *Primrose Hill*, so as to join the Road or intended Road called *Britannia Lane*, leading into the *Hampstead Road*, at the Point where such Lane joined or was intended to join the said Park; and that the Road then forming in Continuation of *Great Portland Street* along the East Side of the said Park should also be continued and formed and completed, by and under the Direction of the said last-mentioned Commissioners, of the same Width as the said Street, until it should meet the said Road so to be formed along the Northern Boundary of the said Park at its said Entrance into *Britannia Lane* as aforesaid, and that the same should become Public Roads; and the said Roads were directed to be made and formed at the Joint Expence of the said Duke of *Portland* and the Crown, in certain Proportions in the same Act specified: And whereas the said Road or Roads in the said Act described to be continued round the North Boundary of the said Park adjacent to the Southern Boundary of the said Duke's Estate to join the Road round *Britannia Lane*, and to be joined by and continued with the said Road in Continuation of *Great Portland Street* along the Eastern Side of the said Park, is and are set out and delineated and coloured Purple on the said Map or Plan marked Number I.; and Doubts have arisen whether such Road or Roads have been properly made, formed, and completed according to the true Intent and Meaning of the said secondly recited Act; and Doubts have also arisen as to the Persons by whom and the Manner in which such Road or Roads is and are to be repaired: Be it therefore further enacted, That this Act, or any thing herein contained, shall not extend or be construed to extend to enlarge, alter, diminish, or take away the Liability to repair and keep in Repair so much of the said Road round the North Boundary of the said Park, adjacent to the Southern Boundary of the said Duke's Estate as is situate within the said Parish of *Saint Mary-le-bone*, of any Vestrymen, Commissioners, or other Persons who would have been liable to repair the said Road, and keep the same in Repair in case this Act had not been passed.

Parish of St. Pancras exempted from the Repair of such Road.

XVI. And be it further enacted, That the said Parish of *Saint Pancras*, or the Vestrymen or Directors of the Poor thereof, shall not be liable to the Repairs of the said last-mentioned Road or Roads, or of any Portion thereof.

XVII. And

Paving Rates in the Regent's Park.

XVII. And be it further enacted, That one or more Rate or Rates, Assessment or Assessments, shall, for the Purpose of paving or repairing, cleansing, lighting, watching, and watering the said several Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places, set out or to be set out on the Ground delineated and marked on the said Map or Plan marked Number I., situate on the North Side of the *New Road* as aforesaid, be laid and assessed by the said Commissioners once in every Year, if they shall judge it needful, upon all Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, or Tenements in any of such Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places, in such Sum or Sums of Money as the said Commissioners shall order and direct; but so, nevertheless, as that such Rate or Rates, Assessment or Assessments, do not exceed in the Whole, in any one Year, the Sums of Money next herein-after mentioned; (that is to say,) for paving or repairing, cleansing, watching, and lighting the said several Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places, the Sum of Two Shillings in the Pound, according to the Yearly Rent or Value of such Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, and Tenements aforesaid, and for watering such Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, the Sum of Sixpence in the Pound, according to the Rent and Value of the said Houses and other Premises.

Power for Commissioners to keep up the Gardens in the Regent's Park.

XVIII. And be it further enacted, That it shall and may be lawful for the said Commissioners for executing this Act, and they are hereby authorized and empowered, to cause the several Gardens, Shrubberies, and ornamental Inclosures delineated and marked on the said Map or Plan, marked Number I., or which shall hereafter be set out on the Ground therein contained and described, to be inclosed with Iron or other Railings, and from Time to Time to renew such Railings, and to paint and repair the same, and to cause the said Gardens, Shrubberies, and ornamental Inclosures to be maintained and kept in good Order and Condition, for the Use and Accommodation of the Inhabitants of the several Streets, Squares, Circuses, Terraces, Courts, Passages, and Places to which the same Gardens, Shrubberies, and ornamental Inclosures shall be attached, and for that Purpose to appoint and employ proper Persons as Gardeners and Workmen for maintaining and keeping the same in order; and all such Gardens, Shrubberies, and ornamental Inclosures shall be used and enjoyed by the Inhabitants of the several Streets, Squares, Circuses, Terraces, Courts, Passages, and Places to which the same shall be attached, in such Manner, and according to such Rules, Orders, and Regulations as the said Commissioners shall direct and establish.

Rates for maintaining the Gardens, &c. in the Regent's Park.

XIX. And be it further enacted, That Rates or Assessments shall, for the Purpose of supporting, maintaining, and keeping in order the said Gardens, Shrubberies, and ornamental Inclosures set out and delineated on the said Map or Plan marked Number I., or which shall hereafter be set out on the Ground therein contained and described, be laid and assessed by the said Commissioners once in every Year, if they

they shall judge it needful, upon all Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, or Tenements in any of the said Streets, Squares, Circuses, Terraces, Courts, Passages, and Places to which such Gardens, Shrubberies, and ornamental Inclosures shall be attached, in such Sum or Sums of Money as the said Commissioners shall order and direct, such Rates or Assessments to be charged and assessed separately in proportion to the Quantity of Garden, Shrubbery, or ornamental Inclosure to be maintained and kept in order on the Houses and other Premises in each respective Street or Streets, Square or Squares, Circus or Circuses, Terrace or Terraces, Court or Courts, or Place or Places to which the Garden, Shrubbery, or ornamental Inclosure, to the Support of which the Rate or Assessment is to be applied, shall be attached, or the Inhabitants whereof shall use the same; and separate and distinct Accounts shall be kept of all such Rates and Assessments, and the Monies arising from every such Rate or Assessment shall be expended and laid out in the maintaining and keeping in order the Gardens, Shrubberies, and ornamental Inclosures attached to or used by the Inhabitants of the Street or Streets, Square or Squares, Circus or Circuses, Court or Courts, or Place or Places upon which such Rate or Assessment shall be charged and assessed, and from which the same shall be collected: Provided always, that none of the said last-mentioned Rates or Assessments shall in any one Year exceed the Sum of Sixpence in the Pound.

Commissioners under this Act to maintain the Garden and Inclosures at the End of Portland Place.

XX. Provided also, and be it further enacted, That it shall and may be lawful for the said Commissioners for executing this Act, and they are hereby authorized and empowered, to lay out, plant and embellish, support and maintain, the inclosed Garden and ornamental Grounds at the North End of *Portland Place*, on the South Side of the said Turnpike Road called the *New Road;* and for defraying the Expences thereof to make Rates and Assessments on the Houses and Buildings surrounding the same, according to the Powers and Provisions herein-before contained with regard to the Gardens, Shrubberies, and ornamental Inclosures in the *Regent's Park* aforesaid, on the North Side of the *New Road;* any thing in an Act of the Third Year of the Reign of His present Majesty, relating to the Parish of *Saint Mary-le-bone*, to the contrary notwithstanding.

Persons paying to the Rates for maintaining Pleasure Grounds not liable at the same Time on their Covenants.

XXI. Provided always, and be it further enacted, That no Inhabitant or Occupier of any of the said Houses or Buildings set out and delineated on the said Map or Plan marked Number I., during the Time that he or she shall pay the Rates or Assessments to be raised by the said Commissioners for defraying the Expences of maintaining and keeping in proper Order and Condition the said Gardens, Shrubberies, and ornamental Inclosures to the same Houses and Buildings attached or supported for the Use thereof, and the said Roads, Carriage Drives, and Ways aforesaid, shall pay or be subject to the Payment of any Sum or Sums of Money, for the same Purposes, by virtue of any Covenant or Covenants contained in any Lease or Leases of the same House or Building.

XXII. And

Jurisdiction in the Regent's Park may be extended by Warrant from the Lords of the Treasury and Commissioners of Woods, &c.

XXII. And be it further enacted, That it shall and may be lawful for the Lord High Treasurer, and the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, and for the Commissioners of His Majesty's Woods, Forests, and Land Revenues respectively, at any Time hereafter, by Writing under their Hands, or under the Hands of any Three of them, to direct and appoint that any other Street or Streets, Square or Squares, Circus or Circuses, Terrace or Terraces, Way or Ways, Court or Courts, Passage or Passages, Place or Places, Road or Roads, Drive or Drives, Garden or Gardens, Shrubbery or Shrubberies, ornamental Ground or Grounds, which may be erected, built, formed, or set out in the *Regent's Park* aforesaid, shall be under the Jurisdiction of the Commissioners for executing this Act; and from and after such Direction or Appointment, the Premises therein mentioned shall be under the Jurisdiction of the same Commissioners, and shall be paved, lighted, watched, watered, cleansed and regulated, maintained and supported, according to the Subject Matter thereof, in the same Manner and under the same Powers, Authorities, and Provisions as herein-before contained with respect to the said Streets, Squares, Circuses, Terraces, Courts, Ways, Passages and Places, Roads, Drives, Gardens, Shrubberies, and ornamental Grounds, already set out and formed in the *Regent's Park* aforesaid, and delineated and marked on the said Map or Plan marked Number I.; and the said Commissioners hereby appointed shall, and they are hereby authorized and empowered, to exercise and put in force all the same Powers, Provisions, and Authorities, and to raise Rates, and do all other necessary Matters and Things for paving, lighting, watching, watering, cleansing, and regulating, maintaining and supporting all such Streets, Squares, Circuses, Terraces, Courts, Ways, Passages, and Places, Roads, Drives, Gardens, Shrubberies, and ornamental Grounds hereafter placed under their Jurisdiction by the said Lord High Treasurer, or Commissioners of His Majesty's Treasury, or of His Majesty's Woods, Forests, and Land Revenues, in the same Manner as herein-before directed with respect to Premises of the same Description already set out, formed, and established, as fully, amply, and effectually, as if the Premises so to be placed under their Jurisdiction were already set out, formed, and established, and delineated and described on the said Map or Plan marked Number I.

Jurisdiction of Commissioners as to Plan No. II.

XXIII. And be it further enacted, That the Jurisdiction, Power, and Authority of the said Commissioners appointed under this Act shall extend over all the said Streets and Portions of Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places delineated and set out and marked with the Colours Brown and Red respectively in the said Map or Plan marked Number II., and over the Houses, Shops, Stables, or other Buildings, with the Appurtenances standing and erected thereon, or on the Sides thereof, and over the Ground on which such Houses, Shops, Stables, or other Buildings, and the Appurtenances thereto, stand and are erected; and all the same Streets and Portions of Streets, Squares, Circuses, Terraces, Courts, Ways, Passages, and Places, shall be paved, lighted, watched, cleansed, and regulated,

regulated, according to the Directions herein-after in this Act contained.

Not to affect the Acts relating to Saint Mary-le-bone, except where hereby altered.

XXIV. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to alter, lessen, or weaken any of the Powers, Clauses, Provisoes, Enactments, or Authorities contained in the several Acts of Parliament for regulating the Affairs of the Parish of *Saint Mary-le-bone* in the County of *Middlesex*, except so far as the same are by this Act altered or varied; but that the same several Powers and Authorities shall remain and be in full Force and Effect as if this Act had not passed; any thing herein contained to the contrary notwithstanding.

Langham Place Pavement to be vested in the Vestrymen of Saint Mary-le-bone.

XXV. And be it enacted, That all the Pavement laid down in that Part of the New Street called *Langham Place* shall continue the Property of and vested in the Vestrymen of the said Parish of *Saint Mary-le-bone* for the Time being.

Paving the Streets, &c. in Saint Marylebone still subject to the Vestrymen of that Parish.

XXVI. And be it further enacted, That such of the said Streets, Circuses, Terraces, Ways, Places, Courts, or Passages set out and delineated on the said Map or Plan marked Number I. as lie to the South of the *New Road*, and also such of the said Streets, Circuses, Terraces, Ways, Places, Courts, or Passages set out and delineated on the said Map or Plan marked Number II. as are situate or lie within the Parish of *Saint Mary-le-bone* shall, notwithstanding any of the Provisions of the present Act, be and remain and be subject to the Order, Control, and Jurisdiction of the Vestrymen of the said Parish of *Saint Mary-le-bone*, and that the Duty, Power, and Authority of paving, repairing, cleansing, lighting, and watching the same Streets, Circuses, Ways, Courts, or Passages, and of raising and levying Rates for those Purposes on the Inhabitants thereof, shall be and remain vested in the Vestrymen of the said Parish for the Time being, who shall cause the Footways of the same Streets, Circuses, Ways, and Places to be well and effectually paved, and the Carriageways thereof, together with the Carriageway of the Street called *Portland Place*, forming the Interval between the Southern Termination of the *Regent's Park* in the said Map or Plan marked Number I. and the Northern Termination of *Langham Place* aforesaid, to be pitched or paved, or formed and repaired with broken Stone, Granite, Flint, or other firm and sufficient Materials, in like Manner and in every Respect to correspond with the other Portion of *Regent Street* communicating therewith, and that the said Vestrymen shall and will from Time to Time relay, repair, and make good every Part of such Streets, Squares, Circuses, Courts, Ways, Passages, and Places to be paved, lighted, and watched and cleansed under the same Powers and Authorities as if this Act had not been passed; but that the same shall be considered as Pavement done under the Parochial Act, and the several Houses and Buildings on the Sides of *Portland Place* aforesaid and Streets shall be liable to the same Rates and Assessments as if the Carriageway was paved.

Right of Pavement, &c. in Plan

XXVII. And be it further enacted, That the sole Right and Property of all Pavements, Stones, Lamps, Posts, Lamp Irons, and Watch-Boxes

Boxes, now or at any Time hereafter to be laid, erected, set up, and fixed in such of the said Streets, Circuses, Terraces, Ways, Places, Courts, or Passages set out and delineated in the said Map or Plan marked Number II. as are situate within the said Parish of *Saint Mary-le-bone*, shall belong to and be and continue to be vested in the Vestrymen of the said Parish of *Saint Mary-le-bone* for the Time being; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Number II. to be in the Vestrymen of St. Mary-le-bone.

XXVIII. And whereas, under the Authority of the said recited Act of the Fifty-sixth Year of His late Majesty's Reign, the Commissioners appointed by virtue thereof have paved the Opera House Colonnades, a certain Street called *Carlton Street*, Parts of certain other Streets, Passages, and Places, which, by the Operations of this Act, will be hereafter paved, cleansed, and lighted by the Committee for paving, cleansing, and lighting the Parish of *Saint James, Westminster*; be it further enacted, That the said Committee shall pay to the said Commissioners hereby appointed all such Sum and Sums of Money as shall hereafter be fixed and ascertained as the Value of such Parts of the Pavement of the Opera House Colonnades, of that Street called *Carlton Street*, Parts of the other Streets, Passages, and Places so to be hereafter paved, cleansed, and lighted by the said Committee as have been paved by the said Commissioners.

Committee for paving, &c. Saint James, Westminster, to pay the Commissioners for this Pavement.

XXIX. And whereas it is intended that certain of the Streets, Squares, Passages, Courts, and Places set out and delineated on the said Map or Plan marked Number II. shall, as to the watching thereof, be placed under the Superintendence of the Vestrymen of the Parish of *Saint Martin's-in-the-Fields*, and as to the paving, lighting, and cleansing thereof, be placed under the Superintendence of the Paving Committee of the said Parish for the Time being; be it therefore enacted, That such of the said Streets, Portions of Streets, Squares, Passages, Courts, and Places, set out and delineated on the said Map or Plan marked Number II., as lie and are situated within the said Parish of *Saint Martin's-in-the-Fields*, shall, as to the watching thereof, be watched and be under the Control and Management of the Vestrymen of the said Parish for the Time being, appointed by the said Vestry, and as to the paving, lighting, and cleansing the same, shall be paved, lighted, and cleansed, and be under the Control and Management of the Committee for the Time being for paving, lighting, and cleansing the said Parish; and the said Streets, Portions of Streets, Squares, Passages, Ways, Courts, and Places shall be watched, lighted, cleansed, paved, or formed, and repaired with broken Stone, Granite, Flint, or other firm and sufficient Materials, under the same Powers, Provisoes, and Authorities as the other Streets, Squares, Passages, Courts, Ways, and Places within the same Parish, under the Control and Management of the said Vestrymen and Committee respectively, are watched, paved, lighted, cleansed, and regulated; all which Powers, Provisions, and Authorities shall extend to the said Streets, Portions of Streets, Squares, Passages, Courts, Ways, and Passages hereby placed under the Control and Management of the said Vestrymen and Committee respectively, and may and shall

Certain Streets to be paved, lighted, &c. by the Parish of Saint Martin's-in-the-Fields.

shall for the Purposes of watching, paving, or repairing, lighting and cleansing the same, be put in force and exercised as fully and effectually as if the same were repeated and re-enacted in this Act.

Parish of St. Martin's may make Rates.

XXX. And be it further enacted, That it shall and may be lawful for the said Vestrymen and Committee of the Parish of *Saint Martin's-in-the-Fields* respectively, to lay on and assess in each Year, if they shall judge needful, One or more Rate or Rates, Assessment or Assessments, upon all Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, or Tenements, or on the Inhabitants thereof, in any of the said Streets, Parts of Streets, Squares, Passages, Courts, Ways, and Places hereby directed to be watched, paved, or repaired, lighted and cleansed by them, for defraying the Expences of watching, paving, lighting, and cleansing the same, so that nevertheless the said Rate or Rates, Assessment or Assessments, do not exceed in the whole in any One Year the Amount in the Pound which the said Vestrymen and Committee are authorized to raise for the same Purposes in other Parts of the same Parish; all the said Rates and Assessments to be raised, assessed, levied, and recovered in the same Manner, and under the same Powers, Authorities, and Provisions, as the other Rates raised for the same Purposes within the same Parish are raised, assessed, levied, and recovered.

Committee of Paving to pay the Commissioners for the Pavement.

XXXI. And be it further enacted, That the said Committee for paving, lighting, and cleansing the said Parish of *Saint Martin's-in-the-Fields*, shall pay to the said Commissioners hereby appointed all such Sum and Sums of Money as shall have been before the passing of this Act paid and expended by the said Commissioners for executing the said recited Act of the Fifty-sixth Year of His late Majesty's Reign, in paving the said Streets, Parts of Streets, Squares, Ways, Passages, Courts, and Places, so to be paved, lighted, and cleansed by the said Committee; and the said Commissioners hereby appointed shall pay to the said Committee, or allow out of the Monies to be paid to them by the said Committee, all such Sum and Sums of Money as have been or shall hereafter be fixed and ascertained, as the Value of the old parochial Pavements and other Materials of the said Parish of *Saint Martin's-in-the-Fields*, subsisting before the passing of the said recited Act of the Fifty-sixth Year aforesaid, and which the said Commissioners under that Act shall have removed.

An additional Rate of 6*d.* in the Pound to be raised by the Parish, for paying the Price and Expences of new Pavements.

XXXII. And be it further enacted, That it shall and may be lawful for the said Committee for paving, lighting, and cleansing the said Parish of *Saint Martin's-in-the-Fields*, and they are hereby authorized and empowered to raise, assess, and levy, in the same Manner, and under the same Powers, Authorities, and Provisions, as the Rates for paving, lighting, and cleansing the said Parish are raised, assessed, levied, and recovered, another or additional Rate in each Year, not exceeding in any one Year the Sum of Sixpence in the Pound, on all the same Houses, Shops, Warehouses, Coach-houses, Stables, Vaults, Cellars, Buildings, and Tenements, or on the Inhabitants or Occupiers thereof; such last-mentioned Rate, and the Monies arising therefrom, to be applied in paying the Sum and Sums of Money herein-before directed

directed to be paid by the said Committee to the said Commissioners hereby appointed, and the Expences of laying down and completing the Rest of the Pavements required in paving, or otherwise forming and repairing the said Streets, Squares, Passages, Courts, and Places hereby directed to be paved or repaired, lighted and cleansed by the said Committee; and when and as soon as such Sums of Money and Expences shall be paid, the said additional Rate hereby granted shall cease and determine, and shall no longer be raised or collected.

Width of Foot Pavement.

XXXIII. And be it further enacted, That the Foot Pavement on the North Side of *Cockspur Street*, in the said Parish of *Saint Martin's*, shall be made and maintained of the full Breadth of Twelve Feet, exclusive of the Areas to the Houses; and the Foot Pavement on the North and South Sides of *Pall Mall East* shall be made and maintained of the full Breadth of Ten Feet, exclusive of the Areas; and the Foot Pavement on the West and East Sides of *Suffolk Street* shall be made and maintained of the full Breadth of Six Feet, exclusive of the Areas; and the Foot Pavements respectively in *Union Square* shall be made and maintained of the full Breadth of Twelve Feet, exclusive of the Areas of the Houses; and the Pavements in all the said Streets, Squares, Passages, Courts, and Places within the said Parish of *Saint Martin's*, shall be made and laid down, and the Lamps, Lamp Posts, and Lamp Irons for lighting the same shall be placed and fixed according to Plans, and in conformity with the Directions and Regulations of the said Commissioners hereby appointed.

The Remainder of the Streets, &c. on the Plan No. II. to be paved and lighted by the Commissioners under this Act.

XXXIV. And be it further enacted, That it shall and may be lawful for the said Commissioners by this Act appointed, and they are hereby authorized and empowered, to cause the Footways of the rest of the said several Streets, Squares, Circuses, Ways, Courts, Passages, and Places, set out and delineated and coloured Brown on the said Map or Plan marked Number II., and not within the said Parishes of *Saint Mary-le-bone* or *Saint Martin's-in-the-Fields*, to be paved, and the Carriageway of the same Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places to be pitched or paved, or to be formed or repaired with broken Stone, Granite, Flint, Gravel, or other firm and sufficient Materials, as they the said Commissioners shall judge fit, upon such Levels, and in such Manner as they shall judge necessary; and such Footways and Carriageways from Time to Time to be amended and kept in good Repair; and also to cause such last-mentioned Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places to be lighted, watered, cleansed and regulated, and the Sides thereof to be enclosed with Iron or other Rails, in such Parts and Places and in such Manner as the said Commissioners shall think proper; and all Encroachments, Obstructions, Nuisances, and Annoyances therein to be removed, and Drains, Sinks, Gutters, and Watercourses to be made for conveying the Water from the said last-mentioned Streets, Squares, Circuses, Terraces, Ways, Courts, Passages and Places, in such Manner as they shall think proper; and if any Person shall, without the Consent of the said Commissioners, alter the Form, or break up the Ground or Pavement of the Carriage or Footway of any of such Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, or Places, or make

make the same otherwise than as directed by the said Commissioners, every Person so offending shall forfeit any Sum not exceeding Ten Pounds for every such Offence, and shall also pay all the Expences of restoring such Ground or Pavement to its former State.

Paving Rate in Regent Street.

XXXV. And be it further enacted, That one or more Rate or Rates, Assessment or Assessments, shall, for the Purpose of paving or repairing, cleansing, lighting, and watering the said several Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, marked and delineated and coloured Brown on the said Map or Plan marked Number II., to be paved or repaired, cleansed, lighted, and watered by the said Commissioners, be laid and assessed by the said Commissioners once in every Year, if they shall judge it needful, upon all Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, or Tenements in any such Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, in such Sum or Sums of Money as the said Commissioners shall order and direct; but so nevertheless as that such Rate or Rates, Assessment or Assessments, do not exceed in the whole, in any one Year, the Sums of Money next herein-after mentioned; that is to say, for paving or repairing, lighting and cleansing the said several last-mentioned Streets, Squares, Circuses, Terraces, Ways, Courts, Passages and Places, the Sum of Two Shillings in the Pound, according to the yearly Rent or Value of such Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, and Tenements aforesaid; and for watering such Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, not exceeding the Sum of Sixpence in the Pound, according to the Yearly Rent or Value of the said Houses and other Premises.

The Opera House and Pall Mall to be rated by St. James's Parish.

XXXVI. Provided always, That it shall not be lawful for the said Commissioners to rate or assess the *Opera House* or the several Houses or Shops under the Colonnades of the *Opera House* in *Charles Street* and in the *Haymarket*, nor to assess the several Houses situate in *Pall Mall*, other than the Two Houses forming the corner Houses of *Waterloo Place*, but that the said *Opera House*, Houses, Shops, and all and every House, Shop, Warehouse, Cellar, Vault, Building, Tenement, or Hereditament whatsoever, which now are or which may hereafter be on the Site of the said several Premises, shall be rated and assessed by the Committee for paving, cleansing, and lighting the Parish of *Saint James Westminster*, so long as such Committee shall continue to pave, light, watch, and cleanse the same.

Remainder of Streets to be paved, watched, and lighted by the respective Parishes.

XXXVII. And be it further enacted, That all the other of the said Streets, Squares, Circuses, Terraces, Courts, Ways, Passages, and Places set out and delineated on the said Map or Plan marked Number II. which are not therein coloured Brown in the Centre thereof, shall be paved, repaired, watched, lighted, cleansed, and watered by the respective Parishes in which the same are situated, in the same Manner, and under the same Provisions, Regulations, and Authorities as the other Streets, Squares, Circuses, Terraces, Courts, Ways, Passages, and Places within such Parishes are paved, repaired, watched, lighted, cleansed, and

and watered; and the said respective Parishes may and are hereby authorized to raise and levy Rates for the Purposes aforesaid, under the same Provisions, Regulations and Authorities; Provided always, that the Houses, Shops, Warehouses, Buildings and Tenements, standing and erected on so much of the said last-mentioned Streets, Squares, Circuses, Terraces, Courts, Ways, Passages, and Places, as is in the said Map or Plan marked Number II. coloured Red, shall as to the Manner of their Construction, and the ornamenting, defacing, altering, or using the same, be under the Superintendence of the said Commissioners hereby appointed, and be regulated according to the Provisions of this Act.

Regent Street, &c. to be watched by the respective Parishes.

XXXVIII. And be it further enacted, That all such of the said Streets, Parts of Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, set out and delineated on the said Map or Plan, Number II. as are hereby directed to be paved or repaired, lighted, cleansed, and regulated by the said Commissioners for executing this Act, shall be watched by the Commissioners or Vestries of the respective Parishes in which such Streets, Parts of Streets, Squares, Circuses, Terraces, Ways, Courts, Passages and Places respectively lie and are situate, under the same Powers, Provisions, and Authorities for raising Rates and otherwise, in respect of watching the same, as the other Parts of the Parishes in which the said Streets, Parts of Streets, Squares, Circuses, Terraces, Courts, Ways, Passages, and Places are situate.

Jurisdiction of Commissioners over all Streets, &c. on the Plan No. III.

XXXIX. And be it further enacted, That the Jurisdiction of the said Commissioners appointed under this Act shall extend over all the Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, Gardens, Shrubberies, and ornamental Inclosures, delineated and set out on the said Map or Plan marked Number III., and over the Houses, Shops, Stables, or other Buildings, with the Appurtenances standing and erected thereon, or at the Sides thereof, and over the Ground on which such Houses, Shops, Stables, or other Buildings, and the Appurtenances thereto, shall stand and be erected, and all the same Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, Gardens, Shrubberies, and ornamental Inclosures shall be paved, watched, lighted, watered, cleansed, and regulated, maintained, supported, and kept in Order, according to the Directions herein-after in this Act contained.

Power to pave such Streets, &c.

XL. And be it further enacted, That it shall be lawful for the said Commissioners by this Act appointed, and they are hereby authorized and empowered to cause the Footways of the said several Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, set out and delineated on the said Map or Plan marked Number III., to be paved, and the Carriageway of the same Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places to be pitched or paved, or to be formed and repaired with broken Stone, Granite, Flint, Gravel, or other firm and sufficient Materials, as they the said Commissioners shall judge fit, upon such Levels and in such Manner as they shall judge necessary; and such Footways and Carriageways from Time to Time to be amended and kept in good Repair; and also to cause such Streets, Squares, Circuses, Terraces, Ways, Courts, Passages,

sages, and Places to be lighted, watched, watered, cleansed, and regulated, and the Sides thereof to be inclosed with Iron or other Rails, in such Parts and Places as the said Commissioners shall think proper, and all Obstructions, Encroachments, Nuisances, and Annoyances therein to be removed, and Drains, Sinks, Gutters, or Watercourses to be made, for conveying the Water from the said Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, in such Manner as they shall think proper; and if any Person shall, without the Consent of the said Commissioners, alter the Form or break up the Ground or Pavement of the Carriage or Footways of any of such Streets, Squares, Circuses, Terraces, Ways, Courts, or Places, or make the same otherwise than as directed by the said Commissioners, every Person so offending shall forfeit any Sum not exceeding Ten Pounds for every such Offence, and shall also pay all the Expences of restoring such Ground or Pavement to its former State.

Paving Rate. XLI. And be it further enacted, That One or more Rate or Rates, Assessment or Assessments, shall, for the Purpose of paving or repairing, cleansing, lighting, watching, and watering the said several Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places set out and delineated on the said Map or Plan marked Number III., be laid and assessed by the said Commissioners, once in every Year, if they shall judge it needful, upon all Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, or Tenements, in any such Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, in such Sum or Sums of Money as the said Commissioners shall order and direct; but so, nevertheless, as that such Rate or Rates, Assessment or Assessments, do not exceed in the Whole, in any One Year, the Sums of Money next herein-after mentioned; (that is to say,) For paving or repairing, cleansing, watching, and lighting the said several Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, the Sum of Two Shillings in the Pound, according to the Yearly Rent or Value of such Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, and Tenements; and for watering such Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, the Sum of Sixpence in the Pound, according to the Yearly Rent or Value of the said Houses and other Premises.

The Admiralty to be rated to the Watch of Saint Martin's Parish. XLII. And whereas the Admiralty hath been always assessed to the Watch in the Parish of *Saint Martin-in-the-Fields*, and the Rates been regulated by and under the Care and Superintendence of the Vestrymen of the said Parish, be it further enacted, That the Admiralty shall continue to be watched, assessed, and rated under the Care and Superintendence of the Vestrymen of the said Parish in such and the same Manner as the same now is: Provided always, that for all other Purposes than the watching, the Admiralty shall be under the Superintendence of the Commissioners by this Act appointed, and subject to the Provisions, Authorities, and Regulations of this Act.

Power to lay out and maintain Gardens, XLIII. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Woods, Forests, and Land Revenues

nues for the Time being, and they are hereby authorized and empowered, to inclose, lay out, and form Gardens and Terraces for the Use of the Inhabitants and Occupiers of the Houses and Buildings now erecting on the said Site of the Premises belonging to the Crown, lately on Lease to the most Noble the Duke of *Richmond*, and now known as *Richmond Terrace*, in the Neighbourhood of *Parliament Street* and *Privy Gardens* aforesaid, and to erect Iron Gates at the Entrance of the Inclosure to the said Houses, and also to build One or more Lodge or Lodges near or adjoining to the said Gates, which Lodges shall be so constructed as not to annoy the Tenants or Inhabitants of the adjacent Buildings by their Smoke or otherwise; and the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, shall also nominate and appoint one or more Porter or Porters, with proper and adequate Salaries, to attend the said Gates; and it shall be the Duty of the said Porters to attend the said Gates at all Hours for opening the same, and allowing Persons going to or from the said Houses and Buildings, and their Carriages and Horses, to pass into or out of the said Gates, and to prevent the Admission of improper Persons and Vehicles; and proper and adequate Salaries and Allowances shall be made and paid by the Commissioners for executing this Act to the said Porters, out of the Rates to be levied on the Inhabitants of the said Houses; and any such Porters shall from Time to Time be removed, if the said Commissioners of His Majesty's Woods, Forests, and Land Revenues shall think fit to remove them for any Cause, and other proper Persons shall thereupon be appointed in Manner aforesaid in their Stead.

&c. at Richmond Terrace.

XLIV. And be it further enacted, That it shall and may be lawful for the said Commissioners for executing this Act, and they are hereby authorized and empowered, to cause the Railings of the said Gardens and Terraces at *Richmond Terrace*, and the several other Gardens, Shrubberies, and ornamental Inclosures delineated and marked on the said Map or Plan marked Number III., or which shall hereafter be set out on any Part of the Ground therein contained and described, to be from Time to Time renewed, painted, and repaired, and the same Gardens, Shrubberies, and ornamental Inclosures to be maintained and kept in good Order and Condition for the Use and Accommodation of the Inhabitants of the several Streets, Squares, Circuses, Terraces, Courts, Ways, Passages, and Places, to which the same Gardens, Shrubberies, and ornamental Inclosures shall be attached; and for that Purpose to appoint and employ proper Persons as Gardeners and Workmen, for maintaining and keeping the same in order; and all such Gardens, Shrubberies, and ornamental Inclosures shall be used and enjoyed by the Inhabitants of the several Streets, Squares, Circuses, Terraces, Courts, Ways, Passages, and Places to which the same shall be attached, in such Manner, and according to such Rules, Orders, and Regulations, as the said Commissioners shall direct and establish.

Commissioners to keep up Gardens, &c.

XLV. And be it further enacted, That Rates or Assessments shall, for the Purpose of supporting, maintaining, and keeping in Order the said Gardens and Terraces at *Richmond Terrace* aforesaid, and paying the Salaries

Rates for the Pleasure Grounds.

Salaries of the Porters to be appointed for the Care of the Gates thereof as aforesaid, be laid and assessed by the said Commissioners once in every Year, if they shall judge it needful, upon all Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, and Buildings in *Richmond Terrace* aforesaid, and also other Rates and Assessments for maintaining and keeping in order any other Gardens, Shrubberies, or ornamental Inclosures, which shall be laid out on any of the Ground marked and described in the said Map or Plan marked Number III., shall be laid and assessed by the said Commissioners once in every Year, if they shall judge it needful, on all Houses, Coach Houses, Stables, Cellars, Vaults, and Buildings, in any of the said Streets, Squares, Circuses, Terraces, Courts, Passages, and Places, to which such Gardens, Shrubberies, or ornamental Inclosures shall be attached, in such Sum or Sums of Money as the said Commissioners shall order and direct; such Rates or Assessments to be charged and assessed separately, in proportion to the Quantity of Garden, Shrubbery, or ornamental Inclosure to be maintained and kept in order, on the Houses and other Premises in each respective Street or Streets, Square or Squares, Circus or Circuses, Terrace or Terraces, Court or Courts, Place or Places, to which the Garden, Shrubbery, or ornamental Inclosure, to the Support whereof the Rate or Assessment is to be applied, shall be attached, or the Inhabitants whereof shall use the same; and separate and distinct Accounts shall be kept of all such Rates and Assessments; and the Monies arising from every such Rate or Assessment shall be expended and laid out in the maintaining and keeping in order of the Gardens, Shrubberies, and ornamental Grounds attached to or used by the Inhabitants of the Street or Streets, Square or Squares, Circus or Circuses, Court or Courts, or Place or Places, upon which such Rate or Assessment shall be charged and assessed, and from which the same shall be collected and received: Provided always, that none of the said last-mentioned Rates or Assessments shall in any One Year exceed the Sum of Two Shillings in the Pound.

Inheritance of Pleasure Grounds not to be altered.

XLVI. Provided always, and be it further enacted, That nothing in this Act contained shall be construed, adjudged, deemed, or taken to alter the Inheritance or Property of any of the said Gardens, Shrubberies, or ornamental Inclosures, set out and delineated on any of the said Maps or Plans, or the Use thereof; but the Inheritance and Property and Use thereof shall remain in and belong to His Majesty, His Heirs, Successors, and Assigns, in such and the same Manner as if this Act had not been passed.

Property in Pavements vested in Commissioners.

XLVII. And be it further enacted, That the Property of and in all the Pavements of the Carriageways and Footways, and also the Stone, Granite, Gravel, and other Materials, to be brought or laid in the several Streets, Parts of Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, and other Passages and Places set out and described on the said respective Maps or Plans, and to be paved, repaired, lighted or watched, cleansed, and regulated by the said Commissioners for executing this Act, and in the Lamps, Lamp Irons, Posts, Rails, and other Materials and Things which now are and which shall be made, set

set up, and be fixed thereon, and in the Iron Rails, Inclosures, and Fences, and the Gates therein, inclosing the Gardens, Shrubberies, and ornamental Grounds now made or hereafter to be made and laid out in the *Regent's Park* and *Richmond Terrace* aforesaid, and in other the said Streets, Squares, Circuses, Terraces, Passages, and Places set out and described in the said Maps or Plans, except such Parts thereof as are placed under the Jurisdiction of the Vestrymen of the said Parish of *Saint Mary-le-bone*, for the Purposes of paving, repairing, cleansing, lighting, and watching, and of and in all Watch Houses, Watch Boxes, Pumps, and Wells which have been or shall be erected, fixed, sunk, or made; and all Materials, Implements, and other Things which shall have been purchased or gotten for the Purposes of the said recited Acts hereby repealed, or shall be purchased or gotten by virtue or for any of the Purposes of this Act, are hereby vested in the said Commissioners for executing this Act; which Commissioners are hereby authorized and empowered to bring or cause to be brought any Action or Actions in the Name of their Treasurer or Clerk, or to prefer or order and direct the preferring of any Bill or Bills of Indictment against any Person or Persons who shall steal, take, or carry away all or any Part of such Lamps, Lamp Irons, Lamp Posts, Rails, or other Materials, Iron Rails, Fences, Gates, and Things aforesaid; and in all such Actions and Bills of Indictment respectively it shall be deemed and taken to be and shall be sufficient to state generally, that the Article or Articles, Thing or Things, for or in respect of which the said Action or Actions shall be brought, or Bill of Indictment preferred, is or are the Property of the Commissioners for executing this Act, without particularly stating or specifying the Name or Names of all or any of the said Commissioners; and if any Person or Persons shall wilfully or maliciously break, pull down, destroy, or otherwise injure, damage, or spoil any of the said Posts, Rails, Materials, and Things, or any of the said Iron Rails, Inclosures, Fences, or Gates, or any Plants or Shrubs growing in any such Garden, Shrubbery, or ornamental Inclosure as aforesaid, or any of the Works made, done, or executed under the Authority of the said recited Acts hereby repealed, or either of them, or hereafter to be set out or made, done or executed, in pursuance of this Act, or any Part or Parts thereof, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, and also make full Satisfaction to the said Commissioners for any Damage done by him, her, or them.

Commissioners to make Allowances to such Persons as may have paved at their own Expence.

XLVIII. And whereas several Persons may have already paved or may hereafter at their own Expence pave certain of the newly-erected Streets, Squares, Circuses, Terraces, Courts, Passages, and Places set out and delineated on the said Maps or Plans respectively, for which it is reasonable some Allowance should be made; be it therefore enacted, That it shall be lawful for the said Commissioners for executing this Act, and they are hereby authorized and empowered, from and out of the Monies to arise out of the Paving Rates to be assessed and collected under and by virtue of this Act, to make and pay to such Persons as to the said Commissioners shall appear to be entitled thereto, such Payments or Allowances for or in respect of such Pave-

ment made and done, or which shall hereafter be made and done by them as aforesaid, as to the said Commissioners shall appear fair and reasonable.

Commissioners may purchase or hire Ground for getting Materials, and for building Watch Houses, &c.

XLIX. And be it further enacted, That the said Commissioners for executing this Act may and they are hereby authorized and empowered to purchase, take, or hire any Piece or Pieces of Ground for the Purposes of digging and obtaining Stone, Gravel, or other Materials for the better paving or repairing the Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, and other Passages and Places to be paved or repaired, lighted, cleansed, watched, watered, and regulated by them under the Provisions of this Act, or for improving and keeping in order the Walks and other Parts of the said Gardens, Shrubberies, and ornamental Inclosures, marked and delineated on the said Maps or Plans, or hereafter to be set out on the Ground therein contained and described, and for the Purpose of depositing Materials thereon for or on account of such paving, or for repairing or for building a Watch House or Watch Houses thereon, or to erect any Building to be made use of as or for any other of the Purposes of this Act as shall appear to them to be necessary, for such Sum or Sums of Money, Yearly Rent or Rents, and for such Time as to them shall appear reasonable, which Sum or Sums of Money, Yearly Rent or Rents, shall be respectively paid out of the Monies to arise by virtue of this Act; and also to erect any Watch House or Watch Houses, and any Number of Watch Boxes within the Limits to be watched by them according to the Provisions and Directions herein-before contained, in such Place or Places as they may think proper; and likewise to buy or hire such Horses, Carts, Teams, or Carriages as may be necessary for the Purposes of carting such Gravel, or for cleansing or watering such Streets, Squares, Circuses, Ways, Courts, Passages, and Places to be cleansed and watered by them as aforesaid, or for any other Purpose directed by this Act; and also to hire such Persons, buy such Materials, and make such Regulations for the better Execution of any such Purposes, as they the said Commissioners for executing this Act shall in their Discretion think proper.

Damages to be assessed in case of Disagreements by a Jury.

L. And be it further enacted, That if any Commissioners of Pavement, Vestrymen, Trustees, Owners, Proprietors, Occupiers, Bodies Politic, Corporate, or Collegiate, Femes Covert, or any other Person or Persons interested in any Ground or Hereditaments which the said Commissioners for executing this Act are hereby empowered to purchase, take, and use for the Purposes of this Act, shall neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence or Disability shall be prevented from treating with the said Commissioners for executing this Act, or their Agents, for the Sale and Disposal thereof; or if such Proprietor or Proprietors or other Person or Persons interested cannot be found or known, or shall not produce and evince a clear Title to the Premises so to be purchased, or to the Interest he, she, or they shall respectively claim therein, to the Satisfaction of the said Commissioners; or if the Persons entitled to be compensated for any Loss or Damage shall not agree with the Commissioners for executing this Act in regard thereto; then and in every

or

or any such Case the Sheriff of the County of *Middlesex*, or his Under Sheriff, or the High Bailiff of the City and Liberty of *Westminster*, or his Deputy, as the Case may be, or in case such Sheriff or Under Sheriff, or High Bailiff or his Deputy, shall be anyways interested in the Matter in question, then some of the Coroners of the said County not interested therein shall, upon the Warrant of the said Commissioners for executing this Act, to be issued in the Manner herein-after mentioned, and he and they is and are hereby required and authorized to cause it to be enquired into and ascertained, upon the Oaths of a Jury of Twelve indifferent Men of the said County of *Middlesex*, or City and Liberty of *Westminster*, (which Oaths the said Sheriff, Under Sheriff, High Bailiff, or Deputy, or Coroner, is and are hereby empowered and required to administer,) what Recompence and Satisfaction ought to be made to such Commissioners of Pavement, Vestrymen, Trustees, Owners, Occupiers, or other Person or Persons interested therein, for such Loss or Damage as aforesaid, or for the Value of such Piece or Pieces of Ground or Hereditaments, and of the proportionable Value of the respective Estates and Interests of every Person or Persons seised or possessed thereof or interested therein, or of or in any Part or Parts thereof, and shall assess and award the Sum or Sums of Money to be paid to such Commissioners of Pavement, Vestrymen, Trustees, or other Person or Persons respectively, for such Loss or Damage as aforesaid, for the Purchase of their respective Rights, Estates, and Interests therein; and in order thereto the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner is and are empowered and required from Time to Time, as occasion shall require, to summon and call before the said Jury, and examine upon Oath or Affirmation, all and every Person or Persons whomsoever who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises (which Oath or Affirmation the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner is and are hereby empowered to administer); and such Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner respectively, shall order and cause the said Jury to view the Materials or Places in question, if there be Occasion, and use all other lawful Ways and Means, as well as for his and their own as for the said Jury's better Information in the Premises, as the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner shall think fit; and after the said Jury shall have enquired of, ascertained, and settled such Recompence and Satisfaction, the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Commissioners for executing this Act to the said Commissioners of Pavement, Vestrymen, Trustees, Owners, or Occupiers of, or other Persons interested therein, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition and Order so had and made shall be final, binding, and conclusive to all Intents and Purposes, upon and against all Parties and Persons whomsoever; and for the summoning and returning of such Jury or Juries the said Commissioners for executing this Act are hereby empowered to issue their Warrant or Warrants to the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner, to summon, impannel, and return, at some convenient Place in the said County

County of *Middlesex* or City of *Westminster*, as the Case may be, a Panel of not less than Thirty-six nor more than Forty-eight honest and indifferent Men, qualified according to Law, to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner, at such Time and Place as in such Warrant shall be appointed; and Fourteen Days Notice at least in Writing, under the Hands of the said Commissioners for executing this Act, or under the Hand of their Agent duly appointed, of the Time and Place at which such Jury so required to be returned are to meet, shall be given to such Commissioners of Pavement, Vestrymen or Trustees, Owners, Proprietors, Occupiers, Corporations, or any other Person or Persons interested in the Premises, before the Time of the Meeting of the said Jury, by leaving such Notice at the Dwelling-house of such Person or Persons, or at the Dwelling-house of the Clerk or Clerks to the said Commissioners of Pavement, Vestrymen or Trustees, or of the Head Officer of such Body or Bodies Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued; and the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner is and are hereby empowered to impannel, summon, and return such Number of Persons accordingly, and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner shall swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner shall return other honest and indifferent Men of the Standers-by or that can be speedily procured to attend that Service (being qualified as last aforesaid, to the Number of Twelve); and it shall be lawful for all Persons concerned, by themselves, their Counsel, Solicitors, and Agents, to attend and be heard, and to adduce Evidence before the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner respectively, and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array or

Penalty imposed on Sheriff, Jury, and Witnesses for Neglect of Duty.

LI. And be it further enacted, That if the Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner, so directed to summon and return a Jury as aforesaid, shall make Default in the Premises, he shall for every such Offence forfeit any Sum not exceeding Ten Pounds; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing, shall refuse to be sworn or to give his Verdict, or shall in any other Manner wilfully neglect his Duty contrary to the true Intent and Meaning of this Act; or if any Person so summoned as a Witness, having been paid or tendered a reasonable Sum for his or her Costs and Expences, shall not appear, or appearing, shall refuse to be examined or to give Evidence, any Person so offending, having no reasonable Excuse to be allowed by the Justices herein-after mentioned, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, which several and respective Penalties shall and may be levied by virtue of any Warrant under the

Hand

Hand and Seal of any One of His Majesty's Justices of the Peace for the County of *Middlesex* or City of *Westminster*, by Distress and Sale of the Goods and Chattels of the Persons so offending, rendering to him or her the Overplus, after such Penalties, and the Charges of such Distress and Sale, shall be deducted.

By whom Expences of Juries to be paid.

LII. And be it further enacted, That in every case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered for or on behalf of the said Commissioners, as a Recompence or Satisfaction for any such Ground or other Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, or for such Loss or Damage as aforesaid, all the Costs and Charges incurred in summoning, impannelling and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the said Commissioners out of the Monies to be raised by virtue of this Act, and in case such Costs and Expences shall not be paid to the Party or Person entitled to receive the same within Seven Days after the Time appointed for Payment thereof, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Commissioners, or of any Goods or Chattels of the Treasurer or Treasurers of the said Commissioners (unless such Treasurer or Treasurers shall pay such Costs and Charges out of any Monies received by him by virtue of this Act, which he is hereby authorized to do), under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County of *Middlesex*, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for the Purpose by the Party or Person entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on behalf of the said Commissioners as such Recompence or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party or Parties refusing or neglecting to treat or agree as before mentioned, and by the said Commissioners; but in Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the said Commissioners, the Costs and Charges so incurred shall be borne by the said Commissioners in Manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be settled and ascertained by any Justice of the Peace for the said County, not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party or Parties having had any such Disagreement or Dispute with the said Commissioners as aforesaid, the Amount thereof, having been first paid by the said Commissioners, may be deducted by them out of the Monies awarded to be paid to such Party or Parties, as so much Money advanced for his, her, or their Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken, to all

Intents and Purposes whatsoever, to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise, if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Commissioners from the Party or Parties liable to the Payment thereof by Action of Debt, or on the Case, in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

Verdicts to be recorded.

LIII. And be it further enacted, That all the said Judgments and Verdicts shall be recorded in the Office of the Auditor of His Majesty's Land Revenue, and a Minute or Docket thereof shall be entered and preserved in the Office of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and all such Judgments and Verdicts shall be afterwards deposited with the Clerk of the Peace of the said County of *Middlesex*, to be kept and preserved by him amongst the Records of the Quarter Sessions of the said County, and shall be deemed to be Records to all Intents and Purposes whatsoever; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, or so in proportion for any less Number of Words.

Power to enter and take possession on Payment or Tender of Purchase Money.

LIV. And be it further enacted, That upon Payment or Tender of the Sum or Sums of Money, Recompence, and Satisfaction which shall be agreed for, awarded, or assessed as aforesaid to the Parties or Persons respectively entitled thereto, or to their Agents, Treasurer or Treasurers, the said Commissioners of Pavement, Vestrymen, Trustees, or other Person or Persons, Bodies Politic, Corporate, or Collegiate, interested in such Ground and Hereditaments, shall from thenceforth be divested of all Right, Title, Claim, Interest, and Property therein or thereunto, and the same shall thenceforth be vested in the said Commissioners for executing this Act, who shall be deemed in Law to be in actual Seisin and Possession thereof, to all Intents and Purposes, freed and discharged from all former and other Estates, Rights, Titles, Interests, Claims, and Demands, and the same shall and may at any Time thereafter be made use of and employed according to the Directions of the said Commissioners for executing this Act, for any of the Purposes of this Act, and under the Regulations herein contained.

Lamps to be set up, and Streets, &c. to be named, and Houses numbered.

LV. And be it further enacted, That it shall be lawful for the said Commissioners for executing this Act, and they are hereby empowered from Time to Time to cause such Lamp Irons or Lamp Posts to be put or fixed upon or against the Walls or Palisadoes of any of the Houses, Tenements, or Buildings, and Inclosures, or in such other Manner within the respective Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places, to be lighted by them according to the Provisions and Directions of this Act, as they shall think proper; and also to cause such Number of Lamps, of such Sizes

Sizes and Sorts to be provided and affixed or put upon such Lamp Irons and Lamp Posts as they shall think necessary for lighting all or any of the same Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, and other Public Passages and Places, and also to cause the said Lamps, and also the several Houses within the said several Streets, Squares, Circuses, Terraces, Roads, Ways, and Courts, Passages and Places, to be numbered; and also to cause to be painted, engraved, or described, in or upon Stone, Wood, or otherwise, and to be fixed in a conspicuous Part of One or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance of such Streets, Squares, Circuses, Terraces, Roads, Ways, and Courts, Passages and Places, the Name by which each respective Street, Square, Circus, Terrace, Lane, Way, Court, Yard, Mews, Passage, and Place is to be properly called or known, in such Manner as they shall judge most proper for distinguishing the same; and if any Person shall wilfully break, throw down, take away, spoil, or damage any Watch House or Watch Box, Lamp, or any of the Irons, Posts, or other Furniture thereof, or wilfully extinguish the Light of any such Lamp, or deface or obliterate any such Name or Number, or any Part thereof, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, whereof One Moiety shall go to the Informer and the other Moiety to the Commissioners acting under and by virtue of this Act, to be by them applied for the Purposes thereof; and such Offender shall also pay to the said Commissioners, or to such Person as they shall appoint to receive the same, such Sum of Money as shall be adjudged by any Justice of the Peace for the County of *Middlesex* or City of *Westminster* to be a full Satisfaction for the Damage so done, and which Sum of Money, in case of Nonpayment thereof, shall be recovered in the same Manner and under the same Powers as any Penalty hereby imposed: And it shall and may be lawful for any Person or Persons whomsoever, who shall see any such Offence committed, to apprehend, and also for any other Person or Persons to assist in apprehending such Offender or Offenders by the Authority of this Act, and without any other Authority or Warrant whatsoever to convey such Offender or Offenders before some Justice of the Peace for the said County or City, and in case any Person shall carelessly, negligently, or accidentally break, throw down, or otherwise spoil or damage any of the said Lamps, or the Iron Posts or other Furniture thereof, and shall not, upon Demand, make Satisfaction for the Damage done thereto, it shall be lawful for any Justice of the Peace for the County of *Middlesex* or the City of *Westminster*, upon Proof thereof made by the Oath or Affirmation of any credible Witness, or on the Confession of the Party, to award such Sum of Money, by way of Satisfaction for such Damage, as such Justice shall think reasonable, and such other Sum of Money in addition thereto, not exceeding Forty Shillings for every such Lamp, Lamp Iron, or Lamp Post, as to such Justice shall seem meet, and in default of Payment thereof upon Demand, to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person who shall have done such Damage, rendering the Overplus, if any, after deducting the Charges of prosecuting such Complaint, and of such Distress and Sale, to the Owner of such Goods and Chattels, upon Demand.

Penalty on Persons damaging Watch House, Lamps, &c.

LVI. And

Persons making, selling, or using Keys for opening the Gates, without Permission of the Commissioners, to be liable to a Penalty.

LVI. And be it further enacted, That if any Person or Persons shall make or cause or procure to be made any Key or Keys for the Purpose of opening any Lock or Locks affixed on or to any of the Gates of the Gardens, Shrubberies, Pleasure Grounds, or ornamental Inclosures, set out and delineated on any of the said Maps or Plans, without the Permission in Writing of the said Commissioners for executing this Act, or shall sell or cause or procure to be sold, without such Permission as aforesaid, any such Key or Keys to any Person or Persons whomsoever, or shall knowingly use any Key or Keys so unlawfully made or sold in opening any Lock or Locks as aforesaid, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds nor less than Five Pounds; and the said Commissioners for executing this Act, or any of them, or the Gardener or Keeper of any of the said Gardens, Shrubberies, Pleasure Grounds, or ornamental Inclosures, appointed by such Commissioners, together with any Person or Persons whom they or he may call to their or his Assistance, are and is hereby authorized and empowered to seize, detain, and keep any such Key or Keys as aforesaid, and to cause the Person or Persons so making or selling or causing or procuring to be made or sold such Key or Keys as aforesaid to be summoned before some Justice of the Peace for the County of *Middlesex*, to be dealt with according to Law.

Penalty on Persons committing Nuisances, or behaving disorderly in the Gardens, or Pleasure Grounds.

LVII. And be it further enacted, That if any Person shall wilfully commit any Spoil, Waste, Damage, Depredation, Annoyance, Disorder, or Nuisance, in, to, upon, or about any of the Paths, Walks, Grass Plots, or Shrubberies of any of the said Gardens, Pleasure Grounds, or ornamental Inclosures, or the Avenues or Approaches thereto, or shall, by riotous, disorderly, or wilful Misbehaviour, molest or interrupt the free Passage of any Person using or passing along the same, then and in every such Case the Person so offending shall forfeit and pay for every such Offence the Sum of Five Pounds; and such Offender shall and may be apprehended by any Gardener or Keeper of any of the said Gardens, Shrubberies, Pleasure Grounds, or ornamental Inclosures, or by any other Person or Persons whom he or they may call to his or their Assistance; and it shall be lawful for the Person or Persons so apprehending such Offender to carry such Offender before some Justice of the Peace for the County of *Middlesex*, to be dealt with according to Law.

Penalty on Persons interrupting or assaulting Porters, Gardeners, or Workmen.

LVIII. And be it further enacted, That if any Person shall at any Time obstruct, hinder, or molest any Porter, Gate-Keeper, Gardener or Keeper of the Gardens, Collector, Receiver, or any Workman or other Person whomsoever, who is, are, or shall be employed by virtue of this Act, or any other Person acting in the Execution of the same, in the Performance of his or their Duty, or of any of the Matters or Things to be done by virtue or under the Authority of this Act, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Commissioners to appoint Per-

LIX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized

and

and empowered, to appoint such Number of Persons as they shall think fit, to sweep the Crossings of the Carriageways of the several Streets, Parts of Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places, to be paved and repaired by them under the Provisions of this Act, at such Places as the said Commissioners shall direct, and from Time to Time to dismiss such Persons and appoint others in their Room or Stead, and to make such Allowances to the Persons so to be appointed as they shall think reasonable; and every Person so appointed shall wear and be distinguished by a Badge or other Device as the said Commissioners shall direct; and it shall and may be lawful for the said Commissioners, and their Surveyors and other Officers, to remove and prevent any Person, not so appointed by them, from sweeping any of the Crossings of the said Carriageways.

Persons to sweep the Crossings of the Streets.

LX. And be it further enacted, That the said Commissioners for executing this Act shall and they are hereby authorized and empowered to cause all or any of the Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places, paved and repaired by them under the Provisions of this Act, to be watered when they or any of their Surveyors for the Time being shall think proper; and for that Purpose to cause such Number of Wells and Pumps to be dug, sunk, and made in any of the same Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places, as they shall think necessary, and from Time to Time to alter and repair the same as there shall be Occasion, and to defray the Expences thereof out of the Paving Rates to be raised by virtue of this Act; provided that no such Well or Pump shall be sunk or made so as to injure any House or other Building in, or any Vault or Cellar under, any of the said Streets, Squares, Circuses, Terraces, Roads, Ways, or other public Passages or Places.

Commissioners may water Streets.

Wells may be dug.

LXI. And be it further enacted, That the said Commissioners for executing this Act shall and may, and they are hereby authorized and empowered, from Time to Time at any of their said Meetings, as Occasion shall require, to contract and agree with any fit Person or Persons for doing and performing all or any of the Works by this Act authorized or directed to be done and performed by them, or for supplying any of the Materials for the same, or for watering the said Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages or Places, or any of them, which Contract or Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the same Works shall be completed, and the Penalties to be suffered in case of Non-performance thereof, and shall be signed by Two or more of the said Commissioners for executing this Act, and also by the Person or Persons contracting to perform such Works respectively, which Contract or Contracts, or a Copy or Copies thereof, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners; but previous to the making of any such Contract, Fourteen Days Notice at the least shall be given in One or more of the Public Newspapers published in *London* or *Westminster*, expressing the Intention of entering into such

Commissioners may contract for performing Works.

such Contract, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Commissioners at a certain Time and Place in such Notice to be mentioned.

Commissioners may employ Surveyors, and sue and compound for Breach of Contracts.

LXII. And be it further enacted, That the said Commissioners for executing this Act shall cause all and every the Works to be done in pursuance of this Act to be inspected by their Surveyor or Surveyors, or by such other Person or Persons as they shall for that Purpose appoint; and in case the same shall not be well and sufficiently performed according to the Terms, Intent and Meaning of such Contract or Contracts, or shall not be finished and completed at or within the Time or Times specified in such Contract or Contracts, then the said Commissioners for executing this Act may cause an Action to be brought in any of His Majesty's Courts of Record at *Westminster*, against any such Contractor for any Penalty contained in his Contract, and on proof of the Signing of the said Contract or Contracts, and of the Non-performance thereof at the Time or Times for that Purpose to be therein mentioned, the said Commissioners for executing this Act shall be entitled to and shall recover the full Penalty contained in any such Contract, which when recovered shall be applied for the Purposes of this Act: Provided always, that it shall be lawful for such Commissioners, if they shall think fit, to compound and agree with any Contractor for any Penalty incurred by him for the Breach or Non-performance of any such Contract, for such Sum of Money as they the said Commissioners shall think proper, not being less than the Injury or Damage sustained by the Breach or Non-performance of such Contract, and all Costs, Charges, and Expences that shall be occasioned thereby.

Scavengers Duty.

LXIII. And be it further enacted, That all Persons contracting with the said Commissioners for executing this Act for cleansing the said Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, and other public Passages or Places, to be cleansed by the said Commissioners according to the Provisions of this Act, shall once in every Seven Days, or oftener if such Commissioners shall so direct, between the Hours of Three in the Morning and Eight in the Evening, attend in all and every the Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places aforesaid, and shall give One Day's Notice at least in Writing to the Surveyor to such Commissioners, specifying the particular Day in every Week when they are to attend in each of the said respective Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, public Passages, or Places, for the Purposes aforesaid, of which the said Surveyor shall make an Entry in a Book, and such Surveyor shall on that Day inspect the said Streets and other Places, to see if the Work is properly performed, and shall make an Entry thereof in the same Book; and the Persons so contracting shall also, upon the Request of any of the Inhabitants or their Servants or Lodgers, go into all and every the Houses and other Places where any Dirt, Dust, Cinders, or Ashes shall be deposited, and take and carry away the same; and if any Person so contracting, or any of the Persons to be employed by him, shall neglect or refuse so

to

to do, he shall forfeit and pay for every Neglect or Refusal any Sum not exceeding Twenty Shillings, One Moiety whereof shall be paid to the Person complaining, and the other Moiety be applied for the Purposes of this Act.

Regulation for repairing Water Pipes

LXIV. And be it further enacted, That when and as often as any Pipe belonging or to belong to any of the Water Companies, who now furnish or shall hereafter furnish any of the Inhabitants within the Limits herein-before described with Water, shall happen to burst or be out of repair, in any of the Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, or Places to be paved or repaired by the said Commissioners for executing this Act, the Surveyor to the said Commissioners, or any other Person or Persons to be by them appointed for that Purpose, shall forthwith cause the Pavement or Surface to be taken up, and open the Ground at or near the Place where the Water shall or may issue, by reason of the bursting or breaking of any such Pipe, and when, upon taking up the Pavement and opening the Ground, it shall appear to what Water Company such Pipe shall belong, then the Surveyor of the said Commissioners for executing this Act, or such other Person or Persons appointed as aforesaid, shall give Notice to the Secretary, Clerk, Foreman, or Turncock of such last-mentioned Company, or leave the same at his last or usual Place of Abode, or at the Office of such Company; and the Company to whom such Pipe shall belong is hereby required to repair or cause to be repaired such Water Pipe, and to fill in the Ground over the same, in such Manner as the Surveyor for the Time being to the said Commissioners for executing this Act shall direct, within Two Days next after such Notice shall be so given or left as aforesaid; and in case the Company to whom such defective Pipe shall belong shall refuse or neglect to amend or repair such Pipe and fill in the Ground in such Manner as the said Surveyor shall direct as aforesaid, for the Space of Two Days next after such Notice shall be given or left as aforesaid, then and in every such Case the Secretary, Clerk, Foreman, or Turncock, on whom such Notice shall be served, shall for every such Refusal or Neglect forfeit and pay any Sum not exceeding Five Pounds; and if any Pipe (other than such as shall belong to any such Water Company) shall happen to break or burst in any of the said Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, or Places, the Owner or Owners thereof shall cause the Ground to be opened and such Pipe to be repaired within the Time herein-before respectively limited for such Purposes, and also shall forthwith give Notice to the Surveyor of the said Commissioners for executing this Act, or such other Person or Persons so appointed by them as aforesaid, to relay the Pavement or Ground so broken or taken up, on pain of forfeiting for every such Neglect or Refusal any Sum not exceeding Forty Shillings; or if any Pavement or Ground shall be broken or taken up by the Commissioners of Sewers or any other Person or Persons, for the Purpose of making, repairing, or altering any Sewer or Drain, or for any other Purpose whatsoever, the Surveyor for the Time being to such Commissioners of Sewers, or any other Person or Persons so breaking or taking up the said Pavement or Ground, shall forthwith give Notice thereof to the Surveyor or Paving Contractor or Contractors

Penalty for neglecting to repair Pipes and Pavements.

Contractors, appointed or employed by the said Commissioners for executing this Act, to relay or repair the Pavement or Ground so broken or taken up as aforesaid, upon Pain of forfeiting for every such Neglect or Refusal any Sum not exceeding Forty Shillings; and if the said Surveyor to or for whom such Notice shall be given or left as aforesaid shall neglect or refuse to acquaint the Paving Contractor or Contractors appointed by the said Commissioners for executing this Act with such Notice, or if such Contractor or Contractors shall not within Two Days next after such Notice from such Surveyor, or other Person or Persons respectively, relay or repair the same, then and in every such Case the Person or Persons so respectively offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, and the further Sum of Twenty Shillings for every Day such Pavement shall continue without being relaid or repaired after the Expiration of the said Two Days.

Pavement taken up for repairing Water Pipes or Gas Pipes to be relaid.

LXV. And be it further enacted, That whenever the Pavement or the Surface of any of the said Streets, Squares, Circuses, Terraces, Roads, Ways, Passages, Courts, or Places, to be paved or repaired by the said Commissioners for executing this Act, shall be taken up for the Purpose of laying, altering, or repairing any Water or Gas Pipe or Plug, the said Pavement or Ground shall, with all convenient Speed, be relaid and repaired by the Pavior or Paviors contracting with or employed by the said Commissioners for executing this Act; and the Expence of taking up, relaying, and repairing such Pavement or Ground shall be borne and paid by the Company or Companies, Person or Persons, to whom such Pipe or Plug shall belong; but 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 any of the said Companies, or to alter any Sewers, Drains, Gullyholes, or Grates, within the Limits to be paved or repaired by the said Commissioners, the same shall be done with as little Detriment or Inconvenience to the Company or Companies, Person or Persons, to whom the same shall belong, as the Circumstances of the Case will admit of; and the Expence thereof shall be defrayed by the said last-mentioned Commissioners out of the Monies arising by virtue of this Act.

Paviors and Turncocks to give Notice of their Abodes to the Surveyor.

LXVI. And be it further enacted, That the Person or Persons who now is or are or shall hereafter be appointed Pavior or Paviors, Turncock or Turncocks, to the said respective Water or Gas Companies, within the Limits to be paved and repaired by the said Commissioners for executing this Act, shall and they are hereby required, within the Space of Forty Days after the passing of this Act, or within the Space of Seven Days next after he or they shall be appointed Pavior or Paviors, Turncock or Turncocks to such Company or Companies, to give Notice in Writing to the Surveyor or Surveyors for the Time being of the said Commissioners for executing this Act, or to such other Person or Persons as shall be by them appointed for that Purpose; which Notice shall contain the Name and Place of Abode of every such Pavior or Turncock, as also to what Company he is a Pavior or Turncock, and in what District he has the Care of the Pipes belonging

ing to such Company or Companies; and in like Manner the Surveyor or Surveyors for the Time being to the said Commissioners for executing this Act shall, within the respective Times aforesaid, give Notice to the respective Paviors or Turncocks of the said several Water and Gas Companies, and also the Surveyor or Surveyors to the Commissioners of Sewers, of his or their own Place or Places of Abode, and likewise of the Names and Places of Abode of such paving Contractor or Contractors, or Person or Persons employed as Pavior or Paviors by the said Commissioners for executing this Act; and every Person neglecting or refusing to give such Notice as aforesaid, within the Times before respectively specified, shall forfeit and pay a Sum not exceeding Forty Shillings for every such Offence.

Commissioners of Sewers to repair Drains under their Direction, and Owners of Pipes to pay the Expences of repairing them.

LXVII. And be it further enacted, That when and so often as any Sewer, Gullyhole or Drain, which shall or may be under the Direction of the Commissioners under any Commission of Sewers in any of the said Streets, Squares, Circuses, Ways, Courts, Passages, or Places, to be paved or repaired by the said Commissioners for executing this Act, shall require to be repaired, altered, cleansed or emptied, or any new or additional Sewer, Gullyhole, or Drain shall be necessary to be made, or any new or additional Grate to be put and placed over any Sewer, Gullyhole, or Drain, in any of the said Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, or Places, or any old Grates over the same, shall require to be repaired, removed, or altered, then and in every such Case the said Commissioners of Sewers shall, within Three Days next after Notice given or left for their Surveyor for the Time being, at his last or usual Place of Abode, signed by the Surveyor to the Commissioners for putting this Act into Execution, cause such Sewer, Gullyhole, or Drain to be repaired, altered, cleansed, or emptied, and such new and additional Grates to be made and put down, and such old Grates to be repaired, removed, or altered; and in default thereof, it shall be lawful for the said Commissioners for putting this Act into Execution, or their Surveyor, to cause such Sewer, Gullyhole, or Drain to be repaired, altered, cleansed, or emptied, or such new and additional Grates to be made and put down, or such old Grates to be repaired, removed, or altered, as the Case may require, or so much of the said Works to be completed as shall remain unfinished: Provided always, that the Charges and Expences of relaying or repairing the Pavements or Ground which shall be broken or taken up for the Purpose of repairing or amending any Pipe, shall be paid to the said Commissioners for executing this Act, or to such Person or Persons as they shall appoint to receive the same; and that the Charges and Expences of making, repairing, altering, cleansing, or emptying any such Sewer or Drain, and of making or putting down any such new or additional Grates, and altering or repairing such old Grates, and of relaying and repairing the Pavement or Ground so broken or taken up for any of the Purposes aforesaid, shall be paid to the said Commissioners for executing this Act, or to such Person or Persons as they shall at any such Meeting as aforesaid appoint to receive the same, by the Treasurer or Clerk to the said Commissioners of Sewers, or by the Person or Persons who shall take or cause the said Pavement or Ground to be taken

up for the Purposes aforesaid; and in case the Owner or Owners of such Pipe as aforesaid, or the Treasurer or Clerk of the said Commissioners of Sewers, or other Person or Persons as aforesaid, shall neglect or refuse to pay what shall have been so laid out or disbursed, for the Purposes aforesaid, within Ten Days next after Notice thereof, in Writing, signed by the Clerk to the said Commissioners for putting this Act in Execution, and left at their respective Dwelling Houses or last or usual Place of Abode, together with a Bill annexed thereto, (which Bill shall contain an Account of such Charges and Expences,) then and in every such Case it shall be lawful for the said Commissioners for putting this Act into Execution, and they are hereby authorized and empowered, to bring or cause to be brought an Action against any or either of the respective Persons aforesaid, for the Recovery of such Sum or Sums of Money as the said Commissioners for executing this Act shall have so laid out and expended for the Purposes aforesaid.

Householders making Complaint of defective Pavement or Lighting, Surveyor to inspect it, and if defective, to give Notice to Contractor.

LXVIII. And be it further enacted, That if any Householder of any of the Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, or Places, to be paved or repaired, lighted or cleansed, by the said Commissioners for executing this Act, shall, by Writing under his or her Hand, to be left at the usual Place of Abode of the Surveyor or Inspector for the Time being to the said Commissioners, make Complaint of any Defect of lighting or cleansing, or Want of Repair in the Pavement or other Part of any of the said Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, or Places, the said Surveyor or Inspector in every such Case shall enquire into and examine the Matter of Complaint, and report thereupon to such Commissioners at their next Meeting; and if by such Report it shall appear that the Pavement complained of is bad and defective, unless it shall arise from a Complaint arising from the Water Pipes laid under such Pavement, the said last-mentioned Commissioners shall cause Notice to be given to their Contractor or Pavior to repair the same within such Time as the said Commissioners shall judge necessary, which Time shall be specified in such Order; and if the Contractor or Pavior to whom such Order shall be given shall not repair and amend such Pavement or Place out of Repair within the Time directed in such Order, he shall in every such Case forfeit and pay any Sum not exceeding Forty Shillings for every Day that the said defective Pavement or Place out of Repair shall remain unrepaired after the Time limited by such Order; and one Moiety of every such Penalty shall be paid to the Householders so making Complaint, and the other Moiety shall be paid to the said Commissioners for executing this Act, to be applied by them for the Purposes of this Act; and if it shall appear by such Report that the Contract for cleansing or lighting shall not be duly performed, the said Commissioners for executing this Act shall forthwith give Directions for recovering the Penalty under such Contract.

Watchmen to be appointed.

LXIX. And be it further enacted, That the said Commissioners for putting this Act into Execution may and are hereby authorized and empowered, from Time to Time, to appoint such Number of Watchmen and

and Patroles, to be employed within the Limits to be watched by them, according to the Provisions of this Act, for so long Time in the Night, under such Regulations, and for such Wages as they shall think proper, and to provide them with proper Arms, Ammunition, Weapons, and Clothing, for the Discharge of their Duty; and if any Watchman or Patrole as aforesaid shall refuse or neglect to perform his Duty, or shall in anywise misbehave himself in the Execution of his Office, he shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, and if the said Commissioners shall think fit, shall be dismissed from his Office of Watchman or Patrole. Penalty.

LXX. And be it further enacted, That the Watchmen and Patroles to be appointed as aforesaid shall, during the Time of their being upon Duty, use their utmost Endeavours to prevent any Mischief by Fire, and also any Burglaries, Robberies, Affrays, or other Outrages and Disorders within the Limits herein-before described; and that it shall be lawful for the said Watchmen and Patroles, or any of them, and they are hereby respectively authorized and required, while on Duty, to apprehend and secure all Malefactors, Rogues, Vagabonds, and other disorderly Persons who shall disturb the public Peace, or whom they shall have cause to suspect of any evil Designs, and to secure and keep in safe Custody every such Person, in order that he or she may be conveyed, as soon as conveniently may be, before some Justice of the Peace for the County of *Middlesex* or City of *Westminster*, to be examined and dealt with according to Law; and if any Victualler, or Keeper of any Public House, shall knowingly harbour or entertain any Watchman or Patrole employed by the said Commissioners, or permit or suffer any such Watchman or Patrole to be and remain in his House during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper of every such Public House shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds. Duty of Watchmen. Penalty on Victuallers harbouring Watchmen.

LXXI. And be it further enacted, That all Watchmen and Sergeants of the Night, and Inspectors of Pavements, shall be sworn in as Constables before any Justice or Justices of the Peace of the said City of *Westminster*, or County of *Middlesex*, and act as such while in the Execution of the Powers and Authorities of this Act; and they are hereby invested with and shall have the like Powers and Authorities, Privileges and Immunities, as any Constable or Constables is or are invested with, or have and enjoy by Law. Watchmen, &c. vested with the Power of Constables.

LXXII. And be it further enacted, That in the making of all the said several Rates or Assessments herein-before authorized to be raised and assessed by the said Commissioners for executing this Act, the Stables, Coach Houses, Erections, and other Buildings, which shall be attached to and be respectively held and occupied with any of the Houses erected or to be erected, or situate in any of the said Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, or other Places, rated and assessed, shall be respectively rated together and along with such Houses, and not as separate Buildings; and the said Commissioners shall cause separate and distinct Accounts to be kept of the Produce Stables, &c. belonging to Houses to be rated with such Houses, and not as separate Buildings.

Produce of the said respective Rates and Assessments, and the Application of the same respectively.

How the Value of Houses is to be ascertained in rating.

LXXIII. And be it further enacted, That the annual Value of all such Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, and Tenements, so to be respectively rated and assessed by the said Commissioners as aforesaid, shall be settled and ascertained according to the Real Rack Rent or full Yearly Value thereof; and the first Year for which such Rates or Assessments as aforesaid shall be made shall commence for or in respect of such Houses as now are or shall be then erected, built and tiled, slated or covered in, and paved in Front thereof, in the respective Streets, Squares, Circuses, Terraces, Courts, Ways, Passages, and Places, where the said Commissioners are by this Act authorized and empowered to raise such Rates, from the Twenty-fourth Day of *June* One thousand eight hundred and twenty-four; and for and in respect of all such Houses or Buildings hereafter to be erected or built within the same Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places, which shall not be slated, tiled, or covered in, and paved in Front thereof as aforesaid, on the said Twenty-fourth Day of *June* One thousand eight hundred and twenty-four, shall commence from the first Quarter Day after the same shall be so tiled, slated, or covered in, and the Pavements made in Front thereof as aforesaid; and the Money so rated and assessed under or in pursuance of this Act shall from Time to Time be paid to the Collectors to be appointed as aforesaid, at such Time and Times in every Year and in such Manner as the said Commissioners shall order and direct, and shall be paid over by such Collectors into the Hands of the Treasurer to the said Commissioners.

Empty Houses to be charged with Half Rates.

LXXIV. Provided always, and be it further enacted, That when any of the said Houses or other Buildings shall at the Time of making any of the said Rates or Assessments be empty or unoccupied, then and in every such Case it shall be lawful for the said Commissioners for executing this Act to rate and assess such Premises respectively at One Half of such Rates and Assessments, and no more, during the Time only such Premises shall be empty or unoccupied; and also in case such Premises, after the making of any such Rate or Assessment shall become empty or unoccupied, One Half only of such Rates or Assessments shall be charged on such Premises respectively for and during so long Time as the same shall continue empty and unoccupied, and then and in every such Case the said Rates or Assessments, and all Arrears due thereon, shall be paid by the Person or Persons for the Time being entitled to such Premises, or by the first or any other Tenant or Occupier thereof, but such Tenant or Occupier shall not be liable or compellable to pay more than Half Rates or Assessments due at the Time of his entering thereon, in respect of such Premises; and every such Tenant or Occupier shall and may and is hereby authorized to deduct and retain the same out of his or her Rent, and the Person or Persons for the Time being entitled to such Premises is and are hereby required to allow such Deductions; and that where any House, Building, or Tenement, in respect whereof any such Rate or Assessment shall be made as aforesaid, shall be let to

to more than One Tenant, any One or more of such Tenants shall be deemed the Occupier or Occupiers thereof, for the Purposes of this Act: Provided also, that in all Cases where any Person shall remove from or quit any House, Building, or Tenement, which shall be rated or assessed by the said Commissioners by virtue of this Act, such Person shall be liable to pay such Rate or Assessment in proportion to the Time that he or she occupied the same; and in all Cases where any Person shall come into or occupy any House, Building, or Tenement, rated or assessed as aforesaid, out of or from which any other Person who shall have been rated or assessed for the same shall be removed, the Person coming into or occupying the same shall not be liable to pay any such Rate or Assessment in respect thereof for a longer Period than Twelve Months prior to the Commencement of such incoming Tenant's Entrance on the Premises.

Proportions of Rates to be paid by Persons removing.

LXXV. Provided always, and be it further enacted, That the respective Rates or Assessments to be made and laid by the said Commissioners under and by virtue of this Act, upon or in respect of any Chapel, Meeting House, Hospital, School, or other Public Building, or any Wall or void Space of Ground, shall be ascertained according to the Number of square Yards of Pavement, or Ground paved or repaired, cleansed, lighted, watched, or watered by the said Commissioners under or by virtue of this Act, belonging to such Chapel, Meeting House, Hospital, School, or other Public Building, Wall, or void Space of Ground, measuring the same from such Chapel, Meeting House, Hospital, School, Building, Wall, or void Space of Ground, to the Middle of the Street, Square, or Place on which the same shall respectively abut, and the same shall never exceed in any One Year the Sum of Two Shillings for every square Yard; and such Rates or Assessments, to be made and laid upon such Chapel, Meeting House, Hospital, School, or other Public Building, Wall, or void Space of Ground, shall be paid by the Chapelwardens, Trustees, or Owners or Proprietors thereof respectively; but so nevertheless as that no such Rate or Assessment shall by virtue of this Act be laid upon or collected or received for or in respect of any Wall or void Space of Ground, unless the same shall abut upon or front some Street, Lane, or Place to be paved or repaired, cleansed, or lighted by the Commissioners for executing this Act.

Public Buildings to be rated according to the Number of square Yards of Paving belonging thereto.

LXXVI. And be it further enacted, That every Rate or Assessment which shall be laid or assessed by the said Commissioners under or by virtue of this Act, for or in respect of any House, Building, Coach House, Stable, or Tenement which any Ambassador, President, Agent, or other Public Minister of any Foreign Prince or State, or the Servant of any such Ambassador, President, Agent, or other Public Minister, or any other Person not liable by Law to pay such Rate or Assessment, shall hereafter inhabit, shall be paid by and recoverable from the Landlord or Proprietor of every such House, Building, Coach House, Stable, or Tenement, who shall for that Purpose be deemed the Occupier thereof.

Rates of Houses let to Ambassadors, &c. to be paid by Landlord.

LXXVII. And be it further enacted, That the Lessee, Landlord, or Owner of every House rated or assessed by the said Commissioners under

Lessee subject to Rates

of Houses let to Lodgers.

under or by virtue of this Act, which is or shall or may be let out ready furnished to a Lodger or Lodgers, shall be deemed and taken to be the Occupier thereof, and shall be liable and subject to the Rates or Assessments herein-before directed by this Act to be made, raised, and levied by the said Commissioners, according to the Yearly Value of the Premises; and that every Person renting or occupying any such ready-furnished House as aforesaid, shall be liable and compellable to the Payment of the said Rates or Assessments, to be recovered in Manner herein directed, but such Person so renting or occupying any such ready-furnished House as aforesaid, shall not be liable and compellable to the Payment of the said Rates or Assessments, beyond the Rent actually due by him or her in respect of the said Premises; and that every such respective Occupier or Occupiers, who shall pay any such Rate or Assessment, or from whom the same shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the next Rent due and payable from him, her, or them, to such respective Lessee or Landlord, or Owner, and the Receipt for such Payment shall be a sufficient Discharge for such Tenant or Tenants, Occupier or Occupiers, to his, her, or their respective Landlord, for so much Money as he, she, or they shall pay, or shall be levied on him, her, or them by virtue of this Act.

Houses partly within and partly without the Limits of this Act.

LXXVIII. Provided always, and be it further enacted, That if any House or Premises shall appear by the said Maps or Plans, or either of them, to be situate partly within the Limits of the Jurisdiction of the Commissioners under this Act, and partly in any Street or Place not within such Limits, such House or Premises shall be assessed to the Rates to be raised by virtue of this Act, for a proportionable Part only of the Rent thereof; and it shall be lawful for the said Commissioners for executing this Act, or any Person appointed by them, at some Meeting to be holden for that Purpose, and they or he are or is hereby respectively authorized and required to apportion and settle at how much and what Part of the Rent of such House and Premises the same shall be assessed.

Corner Houses to be included in the Rate.

LXXIX. And be it further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered, in making and assessing the said respective Rates hereby authorized to be raised and assessed by them, to include in such Rates and to rate the Corner or Return Houses, Shops, Warehouses, Cellars, Vaults, Buildings, or Tenements, standing and erected at the Corners or Angles of any Street, Square, Circus, Terrace, Court, Passage, or Way which shall cross or branch from any of the said Streets, Squares, Circuses, Terraces, Courts, Ways, Passages, or Places, in or in respect of which such Rates or Assessments are to be made; and that the cleansing of all and every such Corner or Return Houses, Shops, Warehouses, Cellars, Vaults, Buildings, or Tenements shall be performed by the said Commissioners.

The Commissioners to pay to the

LXXX. And whereas several of the Houses, Buildings, and Premises in *Regent Street*, *Waterloo Place*, the *Quadrant*, and the *Circus* in

in *Piccadilly*, abut respectively in Part on Streets, Ways, Courts, Passages, and Places, under the Jurisdiction, Control, and Management of the Committee for paving, cleansing, and lighting the said Parish of *Saint James Westminster*, or which, by the Operation of this Act, will be hereafter paved, cleansed, and lighted by the said Committee; be it further enacted, That the said Commissioners shall from Time to Time pay a proportionate Part of the several Rates and Assessments to be respectively laid and assessed by virtue of this Act on the said last-mentioned Houses, Buildings, and Premises, unto the said Committee, for or in respect of the paving, cleansing, and lighting such Parts of the several Streets, Ways, Courts, Passages, and Places upon which the said several last-mentioned Houses, Buildings, and Premises, or the Sides or other Parts thereof abut, such proportionate Part to be from Time to Time fixed by the said Commissioners.

Committee for paving, &c. the Parish of Saint James Westminster a proportionate Part of the Rates of those Houses which abut on Streets, &c. under the Control of the said Committee.

LXXXI. And for the better enforcing the Payment of the Rates or Assessments to be made by the said Commissioners by virtue of this Act; be it further enacted, That if any Person or Persons liable to pay any of the said respective Rates or Assessments, shall refuse or neglect to pay the Money rated or assessed upon him, her, or them, and all Arrears due thereon, or if any Person or Persons liable to pay any of the said Rates or Assessments shall at any Time begin to remove his, her, or their Goods or Furniture from the House or Premises in his, her, or their Occupation, within the Limits herein before described, or to sell or dispose of such Goods or Furniture therein by Public Auction, or sell, dispose of, or carry away his, her, or their Goods or Furniture as aforesaid, without paying all Arrears then due or rated in respect of such House or Premises (in which the current Quarter shall be considered as due) that then and in every of the said Cases it shall be lawful for the Collector for the Time being to the said Commissioners for executing this Act, to collect and levy such Rates or Assessments, and all Arrears due thereon, and the Rate or Assessment for such Quarter wherein such Removal or Sale shall begin to be made as aforesaid, although previous to the Time for Payment of the Rate or Assessment for such Quarter, by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace for the County of *Middlesex* or City of *Westminster*, by Distress and Sale of the Goods and Chattels of the Party so neglecting or refusing, or beginning to remove, take away, or sell any such Goods or Furniture as aforesaid, and if within Five Days next after such Distress shall be made, the said Rates or Assessments, and all Arrears due thereon, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, the said Collector shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient to pay such Rates or Assessments, together with all Arrears due thereon, and the reasonable Charges of making such Distress, and of keeping and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively.

Arrears of Rates how to be recovered.

LXXXII. Pro-

Commissioners may bring Actions for Rates.

LXXXII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners for executing this Act, if they shall think it more expedient, to bring or cause to be brought, in the Name of their Treasurer or Clerk for the Time being, any Action or Actions of Debt or Action on the Case, in any of His Majesty's Courts of Record at *Westminster*, for all or any of the Rates or Assessments so to be by them made by virtue of this Act as aforesaid, in which Action or Actions it shall be sufficient for the Plaintiff to declare that the Defendant is indebted to the Plaintiff in such Sum of Money as the Plaintiff shall suppose to be due, and if the Plaintiff shall recover such Sum so declared for, or any Part thereof, he shall have full Costs, to be levied and recovered as other Monies upon Judgments are now by Law levied and recovered, in which Action or Actions no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Rate Books to be admitted Evidence.

LXXXIII. And be it further enacted, That the Books of Rates to be delivered by the Collector or other Officers to the said Commissioners for executing this Act, and all Entries afterwards made therein, or examined Copies thereof respectively, shall be received in Evidence of the Rates imposed by the said Commissioners by virtue of this Act, and the Payment of such Rates, or such of them, or such Part thereof, as shall by such Entries appear to have been paid to such Collectors.

Commissioners under this Act may recover Arrears due on Rates made by the Commissioners under the Acts repealed.

LXXXIV. And be it further enacted, That where any Rates and Assessments made by the said Commissioners under the said recited Acts of the Fifty-third Year of the Reign of His said late Majesty, and of the Fifty-sixth Year of the same Reign, or either of them, shall, at the passing of this Act, be in Arrear and unpaid by any Person or Persons, it shall and may be lawful for the said Commissioners for executing this Act, and they are hereby authorized to recover, demand, and receive all such Arrears, by and under the same Powers and Authorities as any Rate or Assessment made by the said last-mentioned Commissioners under the Authority of this Act may be demanded and recovered.

Rates to be recovered by the Commissioners in whose Jurisdiction the Houses shall appear to be.

LXXXV. And whereas Doubts and Disputes have arisen touching the Jurisdiction of the Commissioners for executing the said recited Act of the Fifty-sixth Year of the Reign of His said late Majesty, and whether certain Houses, Buildings, Tenements, and Premises were to be rated by the said Commissioners, or by the Vestry of, or Committee or Commissioners of paving, lighting, or watching the Parish in which such Houses, Buildings, Tenements, and Premises were situate, in consequence whereof the Inhabitants and Occupiers of the same have not paid any Rates or Assessments, and several Sums of Money are now in Arrear; and it is expedient to make Provision for the Recovery thereof: Be it therefore enacted, That where any such Houses, Buildings, Tenements, and Premises, which have been or the Rates whereof have been the Subject of such Disputes, shall appear to be under the Jurisdiction of the Commissioners for executing this Act, according to the Limits set out, delineated,

delineated, and coloured Red on the said Map or Plan marked Number II., the same Commissioners shall and may assess, collect, and receive all such Rates and Assessments and Arrears thereof as shall be unpaid by the Owners, Occupiers, or Inhabitants of such Houses, Buildings, Tenements, and Premises; and in case of Refusal or Neglect to pay the same, may levy and recover such Rates, Assessments, and Arrears, by the same Means, Powers, and Authorities as they are authorized to levy and recover Rates and Assessments of the same Description, to be made by them under the Authority of this Act; and in case such Houses, Buildings, Tenements, and Premises shall appear to be out of the Jurisdiction of the said Commissioners for executing this Act, according to the Limits set out, delineated, and coloured Red on the said Map or Plan marked Number II., then the Vestry of, or Committee or Commissioners for paving, lighting, and watching the Parish in which such Houses, Buildings, Tenements, and Premises shall be situate, shall and may assess, collect, and receive all such Rates and Assessments, and the Arrears thereof, as shall be unpaid by the Owners, Occupiers, and Inhabitants of such last mentioned Houses, Buildings, Tenements, and Premises; and in case of Refusal or Neglect to pay the same, may levy and recover such Rates, Assessments, and Arrears, by the same Means, Powers, Authorities, and Provisions, as the said Vestry or Committee or Commissioners are authorized to levy and recover Rates and Assessments of the same Description, within the same Parish.

Commissioners may borrow Money.

LXXXVI. And for the more speedily raising Money for the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners for executing this Act, and they are hereby empowered from Time to Time to borrow and take up at Interest any Sum or Sums of Money upon the Credit of all the several Rates or Assessments to be assessed and collected by them under the Authority of this Act; and by Writing under their Hands and Seals to mortgage or assign over the said several Rates or Assessments, or any Part thereof, to the Person or Persons who shall advance or lend such Monies, or his or their Trustee or Trustees, as a Security for the Money so to be borrowed, together with Interest for the same; and every such Mortgage or Assignment may be according to the Form following; *videlicet*,

'BY virtue of an Act made in the Fifth Year of the Reign of 'King *George* the Fourth, intituled [*here set forth the Title 'of this Act*], We being 'of the Commissioners appointed by virtue of the said Act for 'paving, cleansing, lighting, watering, and watching the Streets, 'Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and 'Places within the Limits mentioned in the said Act, in consideration of the Sum of advanced and lent 'by *A.B.* to *C.D.* [*the Treasurer appointed in pursuance of the 'said Act*] upon the Credit of the Rates and Assessments to be made by virtue of the said Act, for the Purposes aforesaid, and for 'maintaining and supporting the Gardens and Shrubberies and 'ornamental

'ornamental Inclosures, Roads, and Drives in the same Act mentioned, do grant and assign unto the said *A. B.*, his Executors, Administrators, and Assigns, such Proportion of all the several Rates or Assessments raised and to be raised by us under the Authority of the said Act, as the said Sum of doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of all the said several Rates or Assessments, to be had and holden from this Day, until the said Sum of with Interest of *per Centum per Annum* for the same, to be paid Half-yearly, shall be repaid and satisfied. In witness whereof we have hereunto set our Hands and Seals, this Day of .

And every such Assignment shall be good, valid, and effectual in the Law.

Commissioners may grant Bonds to their Clerk or Secretary.

LXXXVII. And be it further enacted, That it shall and may be lawful for the said Commissioners for executing this Act, and they are hereby authorized and empowered, from Time to Time to grant unto their Chief Clerk or Secretary for the Time being any Bond or Bonds under the Hands and Seals of any Three or more of them, each Bond to be conditioned for the Payment of the Sum of Two hundred Pounds; and which Bonds shall be likewise charged upon and paid out of the several Rates and Assessments to be made by the said Commissioners by virtue of this Act, for the Purposes aforesaid, and the Monies to be raised by means thereof, with Interest for the same after the Rate of Five Pounds *per Centum per Annum*.

Power to sell such Bonds.

LXXXVIII. And be it further enacted, That it shall and may be lawful to and for such Chief Clerk or Secretary for the Time being, by and with the Direction of the said Commissioners for executing this Act, or any Three or more of them, from Time to Time to make sale and dispose of all and every or any such Bond or Bonds so to be granted to such Chief Clerk or Secretary as aforesaid, either by Public Sale or Private Contract, unto any Person or Persons, for the best Price or Prices in Money that can be reasonably had or obtained for the same, and to apply the Money thence arising for or towards the carrying this Act into Execution: Provided always, That nothing herein contained shall be deemed, construed, taken, or extend to make the said Commissioners, who shall sign, execute, or give any of the Bonds, Assignments, or other Securities so hereby authorized or directed to be given personally, or their respective Estates, Lands, or Tenements, Goods and Chattels, liable to the Payment of any of the Monies so to be borrowed, or Annuities so to be granted in pursuance of this Act, by reason of their giving or executing any such Bonds, Assignments, or other Securities as aforesaid: Provided nevertheless, that no greater Sum in the whole than Sixty thousand Pounds shall be raised by Loan or Mortgage, or by the Sale or granting of any such Bonds as aforesaid, for any of the Purposes aforesaid, and that before any such Money shall be borrowed, or any such Bond sold, Fourteen Days Notice at the least shall be given in some Newspapers published in

Commissioners not personally liable.

Money borrowed not to exceed 60,000*l*.

in *London* or *Westminster*, signifying the Intention of borrowing such Money.

Mode of transferring Securities.

LXXXIX. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities or Orders for the Monies borrowed, by Writing under their Hands indorsed thereon, to transfer the same respectively to any Person or Persons according to the Form following:

'I *A. B.* do hereby assign the within Mortgage [*or* Bond] and all my Right and Title in and to the Principal Money and Interest thereby secured, unto *C. D.*, his Executors, Administrators, and Assigns. Dated the Day of

Entries or Memorials of all Mortgages, &c. to be entered in a Book.

And Entries or Memorials of all Mortgages or Assignments and Bonds, which shall be made in Manner aforesaid, and of all Transfers thereof expressing in Words at length the Names, Additions, Places of Abode, and other proper Descriptions of all such Persons as shall from Time to Time be entitled to the Principal Money and Interest thereby respectively secured, shall be entered in a Book, kept for that Purpose, by the Clerk to the said Commissioners for executing this Act, to which Book all Persons interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same without Fee or Reward; and for the Entry of every such Transfer or Assignment the said Clerk shall be paid Five Shillings and no more; and every such Transfer or Assignment, after such Entry thereof as aforesaid, shall entitle the Person or Persons to whom the same shall be made, and his, her, or their Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred; and all Persons to whom such Mortgages or Assignments, or Bonds, shall be made, or who shall be entitled to the Money thereby secured, shall be, in proportion to the Sums therein expressly mentioned, Creditors on the said Rates or Assessments equally one with another, without any Preference in respect to the Priority of advancing such Money, or the Dates of any such Mortgages, Assignments, or Bonds respectively.

Application of Money.

XC. And be it further enacted, That all the Money to arise by or from the said Rates or Assessments, and which may be borrowed or advanced upon, or received on the Credit or Security thereof, shall be applied in paying and discharging the Expences attending the obtaining and passing of this Act, and afterwards from Time to Time in paying the Interest of the Principal Monies borrowed by the said Commissioners under the said recited Acts of the Fifty-third Year of His said late Majesty's Reign, and Fifty-sixth Year of the same Reign respectively, and to be borrowed under the Powers of this Act, and in paying the Purchase Monies and making the Compensations and Satisfactions herein-before directed, and in paying the Expences as herein-before directed, of maintaining and supporting the said Gardens, Shrubberies, and ornamental Grounds, and of paving, repairing, lighting, watching, watering, cleansing and regulating such of the said Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and other Places, as are hereby directed to be maintained and supported, paved, repaired, lighted, watched, watered,

tered, cleansed, or regulated by the said Commissioners, and in otherwise carrying this Act into Execution, and in paying off the said Principal Monies, in such Manner as the said Commissioners shall think fit.

Creditors to be paid by Ballot.

XCI. And in order that no undue Preference may be given to any of the Persons entitled to the Principal Monies which shall be borrowed and secured on the Credit of the said Rates or Assessments in discharge of such Principal Money in pursuance of this Act; be it further enacted, That when and so often as the Money to be raised by the said Rates or Assessments shall amount to a Sum sufficient to discharge One-fortieth Part of the Principal Money so to be borrowed or advanced as aforesaid, over and above what shall be necessary to pay the growing Interest on the said Principal Money, secured upon the aforesaid Rates or Assessments in pursuance of this Act, and the Expences herein-before provided for, the said Commissioners for executing this Act shall cause the Number of all the Mortgages, Assignments, or Securities to be granted or made and then in force, for securing the Principal Monies borrowed, of which Part shall be then intended to be paid off, to be written upon distinct Pieces of Paper of an equal Size; and all such Papers to be rolled up in the same Manner as near as may be, and put into a Box or Glass, and one Number of the said Mortgages, Assignments, or Securities shall be drawn out of the said Box or Glass, by the Clerk to the said Commissioners, in the Presence of Three or more of such Commissioners: Provided always, that if it shall happen that any Mortgage, Assignment, or Security, the Number whereof shall be drawn out as aforesaid, shall be for a greater Sum than One hundred Pounds, no more than One hundred Pounds shall be discharged in consequence of such Number being so drawn.

Notice shall be given to the Persons whose Money is to be paid off.

XCII. And be it further enacted, That the said Commissioners for executing this Act shall cause a Notice, signed by their Clerk, to be given to or left at the usual Place of Abode of the Person or Persons whose Principal Money shall be intended to be paid off, which Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same will be paid at the Place to be mentioned in such Notice, at the Expiration of Six Calendar Months from the Day of giving or leaving such Notice as aforesaid, and the Interest of the Principal Money so to be paid off shall, from and after the End of the said Six Calendar Months, cease and be no longer paid or payable, unless such Principal Money shall be demanded pursuant to such Notice and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Six Calendar Months, shall nevertheless be payable on Demand.

Power to borrow Money at lower Interest, to discharge Se-

XCIII. And be it further enacted, That in case the said Commissioners for executing this Act can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Mortgages, Assignments, or Securities which shall be then in force shall bear, it shall be lawful for the said last-mentioned Commissioners, from

Time to Time, to charge the said Rates or Assessments in Manner aforesaid, with such Sum or Sums of Money as they shall think proper, and the Interest thereof at such low Rate as aforesaid, and to pay off and discharge the Mortgages, Assignments, or Securities bearing a higher Rate of Interest. curities at higher.

XCIV. And be it further enacted, That the said Commissioners for executing this Act shall, at their Second Meeting in every Year, cause an Account of the Monies received and disbursed in the preceding Year, and the Amount of the Arrears of Rates then due, and of the Balance of Cash in Hand to be made out, which Account it shall be lawful for all Persons rated or assessed by the said Commissioners, under and by virtue of this Act, to the Rates or Assessments aforesaid, and all Persons interested therein, at all seasonable Times, to inspect. Commissioners annually to make out Account of Receipts and Disbursements.

XCV. And whereas it is expedient that Porticoes, Arcades, Colonnades, or other covered Ways should be allowed to extend over the Footways of some of the said Streets, Parts of Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places within the Limits herein-before described, and that Bow Windows, Shop Windows, Alcoves, Balconies, and other ornamental Projections should be allowed to be advanced to the Fronts of the Areas, provided such Porticoes, Arcades, Colonnades, or other covered Ways, Bow Windows, Shop Windows, Alcoves, Balconies, and other ornamental Projections be made of Brick, Stone, Metal, or other incombustible Materials: Be it therefore further enacted, That it shall and may be lawful for the said Commissioners for executing this Act to authorize and permit the continuing, and the building or erecting and making of any Porticoes, Arcades, Colonnades, and other covered Ways, projecting from any Buildings or Houses which shall or may be built in or on any of the said Streets, Parts of Streets, Squares, Circuses, Terraces, Courts, Ways, Passages, and Places set out and delineated on the said respective Maps or Plans, and on each of them, or which shall hereafter be set out on the Ground contained and described in any of the said Maps or Plans, extending over any Footways of the said Streets, Parts of Streets, Squares, and Circuses, Terraces, Courts, Ways, Passages, and Places, provided the same do not obstruct or incommode the Foot Passengers; and that the Footways under the same be at least Nine Feet broad in the Clear between the Columns, Piers, or other Supports of such Porticoes, Colonnades, Arcades, or other covered Ways, in the new Street leading from *Pall Mall* to the *New Road*, and Four Feet broad at the least in the other Streets, Parts of Streets, Squares, Circuses, Terraces, Courts, Ways, and Places, and the Railing of the Areas of the Houses or other Buildings before or at the Sides of which the same are placed, and provided such Colonnades, Arcades, Porticoes, and covered Ways be built of Brick, Stone, or Metal, or Stucco, or Cement laid on Brick or Stone, except Joists and Bearers, which form the Covering over the said Footpaths, which may be of Wood covered with Plaster or Stucco, or other uninflammable Composition, and so as that all such Porticoes, Colonnades, Arcades, and Porticoes and Colonnades, &c. may be authorized by the Commissioners.

other covered Ways, shall be made in such Manner, and upon such Plans, and of such Dimensions, as shall be ordered and directed by the said Commissioners in that Behalf; and the same may by the Authority of the said Commissioners project and extend as well from the Front or the Side of such Houses and Buildings, or from the Back or any other Part thereof, as the said Commissioners shall authorize and direct, and notwithstanding the same may project into any Street or Place not within the Limits herein-before described; any thing in an Act passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled, *An Act for better paving, improving, and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein*, or any other Act or Acts of Parliament to the contrary notwithstanding.

57 G. 3. c. xxix.

For allowing Balconies, Virandas, &c.

XCVI. And be it further enacted, That it shall and may be lawful for the said Commissioners for executing this Act to authorize and permit the erecting or making or continuing or suffering to remain the Fronts or Sides or other Parts of any Houses or Buildings in the said Streets, Parts of Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places set out and delineated on the said respective Maps or Plans, and on each of them, or which shall hereafter be set out on the Ground contained and described in any of the Maps or Plans, in such Manner as that the Fronts, Sides, or other Parts of some of the said Houses or Buildings may recede behind or advance before other Houses, and with Bow Windows or other Projections, and with Virandas, Alcoves, Balconies, Pilasters, Columns, and Shop Windows, and other Projections attached to such Houses or Buildings, either in the Fronts thereof, or at the Sides or back Part thereof, as the said Commissioners shall authorize, notwithstanding the same may extend into or project over another Street not set out or delineated on any of the said Maps or Plans, provided that no Front, Side, or Back of any such House or Building, or any such Bow Window, Viranda, Alcove, Balcony, Pilaster, Column, Shop Window, or other Projection, advance beyond the Area of the House or Building to which it shall belong, and that the same be built of Brick, Stone, Metal, or Stucco, or other Cement laid on Brick or Stone, except Shop Windows, with their Shutters and Decorations, which may be Wood; any thing in the said Act of the Fifty-seventh Year of His late Majesty's Reign, or any other Act or Acts of Parliament to the contrary notwithstanding.

Houses, &c. already erected under the Authority of New Street Commissioners not to be deemed Encroachments.

XCVII. And be it further enacted, That all the Houses, Shops, Warehouses, Buildings, Tenements, and Improvements erected and made by or under the Superintendence of the said Commissioners for executing the said secondly recited Act, and all the Houses, Shops, Warehouses, Buildings, and Tenements, built and erected on the said several Streets, Squares, Circuses, Terraces, Courts, Ways, Passages, and Places, hereby placed under the Jurisdiction and Superintendence of the said Commissioners for executing this Act, together with the Arcades, Colonnades, Virandas, Areas, Rails, Alcoves, Balconies, Pilasters, Columns, Shop Windows, and other Projections and Appurtenances

tenances to the same Houses, Warehouses, Shops, Buildings, and Tenements attached or belonging, shall be and remain in their present State and Condition, and shall not, nor shall any Part thereof be deemed an Encroachment or Encroachments, or be liable to be reduced or removed, and it shall not be lawful for any Person or Persons other than the said Commissioners hereby appointed to alter, vary, remove, or interfere with (except for the necessary Repairs thereof) any of the same Houses, Shops, Warehouses, Buildings, or Tenements, or the Arcades, Colonnades, Virandas, Areas, Rails, Alcoves, Balconies, Pilasters, Columns, Shop Windows, or other Projections or Appurtenances thereto attached or belonging, without the Licence and Consent in Writing of the said Commissioners first had and obtained; any thing in any Act or Acts of Parliament, or any Law or Usage to the contrary notwithstanding.

Power to remove any Writing, &c. above the First Floors of Houses.

XCVIII. Provided always, and be it further enacted, That if the Owner or Occupier of any House, Shop, Building, Warehouse, or Tenement in any of the said Streets, Parts of Streets, Squares, Circuses, Terraces, Courts, Ways, and Places has written, printed, painted, delineated, or placed, or caused to be written, printed, painted, delineated, or placed, or shall write, print, paint, delineate, or place, or cause to be written, printed, painted, delineated, or placed, any Name, Description of Trade or Occupation, or any Board, Sign, or other Matter or Thing, on any Part of such House, Shop, Building, Warehouse, or Tenement, above the Base of the Balcony or Level of the upper Surface of the Joists of the First Floor thereof, it shall and may be lawful for the Surveyor to the said Commissioners hereby appointed, by Notice in Writing to be left at such House, Shop, Building, Warehouse, or Tenement, to require the Owner or Occupier thereof to remove such Name, Description, Board, or Sign, other Matter or Thing, and to restore the Wall or Place on or against which the same shall have been written or placed; and if any such Owner or Occupier shall, for the Space of Ten Days after the Delivery of such Notice, neglect to obey the same, the said Surveyor shall cause such Name, Description, Board, Sign, other Matter or Thing to be removed, and the Wall or Place on or against which the same shall have been written, printed, painted, delineated, or placed to be restored, and the Expences of making such Removal and Restoration shall be borne and defrayed by the Occupier of such House, Shop, Warehouse, or Tenement, and on Refusal or Neglect to pay the same, shall be ascertained by and before a Justice of the Peace for the County of *Middlesex* or City of *Westminster*, and levied and recovered by the said Surveyor in the same Manner as any Penalty under this Act is directed to be levied and recovered.

Commissioners may continue the Inclosure of the Arcade on the Site of Market Lane.

XCIX. And be it further enacted, That it shall be lawful for the said Commissioners for executing this Act to continue and keep inclosed, with Iron Gates at each End, the Footway or Arcade already made on the Site of Part of *Market Lane*, the said Gates to be open to the Occupiers of the Houses on each Side thereof, but shut to the rest of the Public at such Hours and Times as the said Commissioners shall order and direct in that Behalf.

C. And

Appointing Commissioners under this Act Commissioners of Sewers.

C. And be it further enacted, That the said Commissioners for executing this Act shall be and they are hereby appointed Commissioners of Sewers for maintaining and keeping in Repair the said principal or common Sewer, extending from the *Regent's Park* aforesaid to *Charing Cross*, and from thence to the River *Thames*; and also the other Drains, Watercourses, and Communications made under the Authorities and Provisions under the said secondly recited Act of the Fifty-third Year of His said late Majesty's Reign, by the Persons appointed Commissioners for that Purpose under the Powers of that Act, and also for making, maintaining, and keeping in repair such other Sewers, Drains, and Watercourses, as may be necessary for supplying a proper or more effectual Drainage to all or any of the said Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places set out and delineated on the said several Maps and Plans before mentioned, and each of them, or which may be hereafter set out on the Ground therein contained and described, and the Houses and Buildings erected therein, hereby placed under the Jurisdiction of the said Commissioners for executing this Act; and it shall and may be lawful for the said Commissioners for executing this Act, and they are hereby authorized and empowered, to make and form any Drains, Watercourses, or Communications from any Part or Parts of the said Park called *The Regent's Park*, or from any Houses or Buildings erected or to be erected therein, and also from any of the Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places within the Limits herein-before described, or from any Houses or Buildings erected or to be erected within the same Limits, to carry off or drain the Water from all or any of the said Houses, Buildings, Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, or Places into the said principal or common Sewer, and also to make such additional Sewers, Drains, and Watercourses, as the said last mentioned Commissioners shall judge necessary, for affording a proper or effectual Drainage to any of the said Houses, Buildings, Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places, within the Limits aforesaid, as are not drained by the said principal or common Sewer, or have not an efficient and proper Drainage; and for those Purposes, or any of them, to stop up, divert, or alter any Sewers, Drains, Tunnels, or Watercourses, which may be found in making such new Sewers, Drains, Watercourses, and Communications, or which may, in the Judgment of the said last mentioned Commissioners, or any Three of them, be necessary or expedient to be stopped up, diverted, or altered.

Monies, &c. in Hands of Commissioners of Sewers appointed under Act 53G.3.c.121. transferred to Commissioners under this Act.

CI. And be it further enacted, That all Monies, Goods, Materials, Tools, Implements, Matters, and Things, now in the Hands, Custody, or Possession of the said Persons appointed Commissioners of Sewers under Authority of the said secondly recited Act of the Fifty-third Year of the Reign of His said late Majesty, or raised, purchased, or provided by them for the Purposes of the said Sewers and Drainage, shall be and the same are hereby vested in the said Commissioners for executing this Act; and it shall and may be lawful for the said last mentioned Commissioners, and they are hereby required to levy and

and recover, in the same Manner as any Sewers Rates may be recovered, any Arrears or Sums of Money which shall remain unpaid at the passing of this Act of any Rate or Rates, Assessment or Assessments, made by the said Persons so appointed Commissioners of Sewers as aforesaid.

Sewers Rates to be liable to Debts due from Commissioners of Sewers appointed under 53 G. 3. c. 121.

CII. And be it further enacted, That the Rates to be received by the said Commissioners as Commissioners of Sewers shall be and they are hereby made subject and liable to the Payment of all Monies which may now be due from the Persons appointed Commissioners of Sewers under the said secondly recited Act of the Fifty-third Year aforesaid, and of all Interest due and to grow due thereon, as fully and effectually as if such Monies had become due and owing from the said Commissioners for executing this Act.

Sewers placed under the Survey of the Commissioners.

CIII. And be it further enacted, That the said principal or common Sewer, with all the Drains, Watercourses, and Communications, made under the Powers, Provisions, and Authority of the said secondly recited Act of the Fifty-third Year of the Reign of His said late Majesty, by the Commissioners thereby for that Purpose appointed, together with all the Sewers, Drains, and Watercourses which shall hereafter be made by the said Commissioners hereby appointed Commissioners of Sewers, shall be under the sole Management, Survey, Control, and Direction of the said Commissioners for executing this Act, and of no other Person or Persons, in such and the like Manner, to all Intents and Purposes, as if the same had been expressly directed by any of the existing Statutes, or any Commission of Sewers, to be under their Survey and Authority; and the said Commissioners shall have all and every the same Powers, Jurisdiction, and Authorities, in relation thereto, to all Intents and Purposes, in as full, ample, and extensive a Manner, as if they had been expressly named and appointed Commissioners of Sewers by any Statute or Statutes of Sewers, or any Commission or Commissions of Sewers, and may execute and enforce all the Powers to be exercised and enforced by Commissioners of Sewers, in the same Manner, and under the same Acts, Regulations, and Provisions, as if they were nominated and appointed Commissioners of Sewers in and by a Commission issued by or on Behalf of the Crown, and had qualified as such Commissioners under the existing Statutes of Sewers; any thing contained in any Commission or Commissions of Sewers, or in any Statute or Law to the contrary notwithstanding: Provided always that nothing herein contained shall authorize or empower any Person or Persons so to construct any such Sewers, Drains, or Watercourses, or to interrupt, divert, or obstruct the Course of any Stream or Feeder which flows or has heretofore flowed into a Sewer called *King's Scholar's Pond Sewer* in the *Regent's Park* aforesaid, or to interfere with the same Sewer, save only and except so far as the Water flowing or proceeding from any of the Houses, Buildings, Streets, Squares, Circuses, Terraces, Ways, Passages, or Places, Lands or Premises, hereby authorized to be drained, shall necessarily be diverted by such new Sewers, Drains, or Watercourses.

Sewers may be assessed for Rates.

CIV. And be it further enacted, That in order to repay the Monies already raised and hereafter to be raised and applied as aforesaid, and to defray the Expences of making and keeping in repair such Sewers, Drains, Watercourses, and Communications as aforesaid, it shall and may be lawful for the said Commissioners for executing this Act, or any Three or more of them, to make any Rate or Rates, Assessment or Assessments, by an equal Pound Rate, from Time to Time, as they shall see Occasion, upon all Houses, Buildings, Lands, or Tenements, which shall be drained by Means of the said Sewers, Drains, Watercourses, and Communications, and by any Precept or Warrant under the Hands of any Three or more of them to authorize and empower any Person or Persons to collect the same Rates and Assessments from Time to Time, and out of the same to make or allow to every such Collector a reasonable Compensation or Salary for his Trouble, which said Rates shall be levied and recovered in the same Manner, and under the same Powers and Authorities, as any other Rate raised and assessed under the Authority of this Act.

Persons paying Sewers Rate to the Commissioners, not liable to any other Sewer Rate.

CV. Provided always, and be it further enacted, That no Person paying to the Sewers Rate or Assessment raised and collected by the Commissioners hereby appointed Commissioners of Sewers shall, during the Continuance of the Payment of such Rate or Assessment, be subject or liable to the Payment of any other Sewers Rate or Assessment, in respect of the Premises for which he or she shall be rated or assessed under or by virtue of this Act.

Commissioners of Sewers may enter certain Houses.

CVI. Provided always and be it enacted, That nothing herein contained shall extend or be construed to prevent the Commissioners of Sewers under the existing Commission from continuing to assess and collect Rates within their respective Districts from the Owners, Proprietors, or Occupiers of such Houses, Buildings, or Lands which shall be wholly or in part drained by the said principal or common Sewer, as such Commissioners might or could have rated and assessed at the passing of this Act, and in case the Enactments and Provisions relating to Sewage in the said secondly recited Act of the Fifty-third Year aforesaid contained had not been hereby repealed.

Sewers of the Duke of Portland not to be used without his Consent.

CVII. And be it further enacted, That the Buildings erected or to be erected in the said Park called *The Regent's Park*, or in any of the said Streets, Squares, Circuses, Terraces, Ways, Courts, Passages and Places, set out and delineated in the said Map or Plan marked Number I. or the said Map or Plan marked Number II. shall not be permitted to drain into any of the Sewers now existing on the Estate of the Duke of *Portland* situate between *Great Portland-street* on the East and *High-street Mary-le-bone Lane* on the West, without the Consent of the said Duke of *Portland* in Writing for that Purpose had and obtained by the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and enrolled in the Office of the Auditor of the Land Revenues.

Commissioners in Commission of the Peace

CVIII. And be it further enacted, That all such Commissioners for executing this Act as are or shall be Justices of the Peace may act as Justices in all Matters under the Authority of this Act, notwithstanding

standing their being Commissioners; and that in all Cases where any Justice or Justices of the Peace is or are authorized by this Act to examine any Person or Persons on Oath or Affirmation, it shall be lawful for such Justice or Justices, and he and they is and are hereby required to administer such Oath, or to take such Affirmation.

may act as Justices.

CIX. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning the Execution of this Act, no Person residing within the Limits of this Act shall be deemed incompetent to give Evidence by reason of such Person being charged with and liable to pay any Rate or Assessment by virtue of this Act.

Inhabitants may give Evidence.

CX. And be it further enacted, That the said Commissioners for executing this Act may sue or be sued in the Name of their Treasurer or Clerk; and that no Action to be brought by or against the said Commissioners for executing this Act, or any of them, by virtue of this Act, shall abate or be discontinued by the Death or Removal of any such Treasurer, but that the Treasurer or Clerk for the Time being to such Commissioners shall always be deemed the Plaintiff or Defendant in such Action, as the Case shall be.

Commissioners to sue or be sued in the Name of their Treasurer or Clerk.

CXI. And be it further enacted, That no Rate or Assessment, or any Proceeding to be had touching any Order made, or other Matter or Thing to be done or transacted, in or relating to any Complaint or Appeal, or any Order or Determination thereon as aforesaid, shall be quashed or vacated for want of Form only, or be removed or removeable into any of His Majesty's Courts of Record by Certiorari or any other Writ or Process whatsoever; any Law, Statute or Usage to the contrary notwithstanding.

Rates or Proceedings not to be quashed for want of Form, or removed by Certiorari.

CXII. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the Manner of recovering which is not hereby otherwise directed, shall, upon Proof and Conviction of the Offences respectively before any Justice of the Peace for the County or Place where the Offence shall be committed, or where the Offender shall be or reside, (as the Case may require), either by the Confession of the Party offending, or by the Oath or Affirmation of any credible Witness or Witnesses, and the Informer is hereby rendered a credible Witness, be levied, together with the Costs attending the Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of any such Justice, which Warrant such Justice is hereby empowered to grant, and the Overplus, if any, after such Penalties and Forfeitures, and the Charges of such Distress and Sale are deducted, shall be returned, upon Demand, to the Owner or Owners of such Goods and Chattels; and in case such Penalties and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for any such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody, until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his or their Appearance

Recovery of Penalties.

Appearance on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, which Security such Justice is hereby empowered to take, by way of Recognizance or otherwise; and if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied, were a Warrant of Distress issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for any such Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County or Place where the Offence shall be committed, or where the Offender shall be or reside, as the Case may require, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and the Monies arising by such Penalties and Forfeitures respectively, when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid, one Moiety to the Person suing for and recovering the same, and the other Moiety to the Treasurer to the said Commissioners for executing this Act, and shall be by them applied to such of the Purposes of this Act as the said Commissioners shall think fit and direct.

Justices may proceed by Summons.

CXIII. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That every Justice of the Peace, to whom any Complaint shall be made of any Offence committed against this Act, may and he is hereby authorized to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to commit the Offender, and adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been taken by or before such Justice, and every Justice of the Peace by or before whom any Person shall be convicted of any Offence against this Act may cause the Conviction to be drawn up according to the following Form, or any other Form to the same Effect, as the Case shall happen; (that is to say)

Form of Conviction.

To wit. } 'BE it remembered, That on the Day of in the Year of the Reign of His 'Majesty King *George* the Fourth, and in the Year of our Lord One 'thousand eight hundred and [*Time of Conviction*] at [*Place of 'Conviction*] *A. B.* [*Name of Offender*] of [*Addition of Offender*] is duly 'convicted before me [*or* us] [*Name and Style of convicting Justice 'or Justices*] for the said *A. B.* [*Name of Offender*] on [*Time of committing Offence*] at [*Place of committing the Offence*] did [*here state 'the Offence, according to the Fact, and as near as may be in the Words 'of the Act*], contrary to the Form of the Statute made in the Fifth 'Year

'Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*], and I [*or* we] do therefore declare and adjudge, that the said *A. B.* [*Name of Offender*] has forfeited for the same Offence the Sum of or shall be committed to [*Place of Imprisonment, as the Case may be*] for the Space of [*Time of Imprisonment.*] Given under my Hand and Seal [*or* our Hands and Seals] the Day and Year first above written.'

Appeal.

CXIV. Provided always, and be it further enacted, That if any Person or Persons shall think himself or herself aggrieved by any Rate or Assessment which shall be made by the said Commissioners hereby appointed in pursuance of this Act, he or she, having first paid the said Rate or Assessment, may appeal to the said Commissioners at their next Meeting to be holden after the Payment of such Rate or Assessment; and such Commissioners are hereby authorized and empowered, if they shall think such Person aggrieved, to give such Relief in the Premises as to them shall seem reasonable, and if any such Person shall be dissatisfied with the Determination of the said Commissioners therein, or if any Person shall think himself or herself aggrieved for any other Matter or Thing to be done in pursuance of this Act, every such Person may appeal to the Justices at any General or Quarter Sessions of the Peace to be holden for the County or Place where the Cause of Complaint shall have arisen, within Four Calendar Months after the Cause of Complaint shall have arisen, such Appellant first giving Fourteen Days Notice at the least in Writing of his or her Intention to make such Appeal, and of the Matter thereof, to the Clerk to the said Commissioners, and within Five Days after such Notice entering into Recognizances before some Justice of the Peace for the said County or Place with Two sufficient Sureties to try such Appeal, and abide the Order of, and pay such Costs as shall be awarded by the Justices at such Sessions; and the Justices at such Sessions shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as they shall think proper; and their Determination thereon shall be finally binding and conclusive on all Parties, to all Intents and Purposes.

Plaintiff shall not recover after Tender of sufficient Amends.

CXV. Provided always, and be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or wrongful Proceeding done or committed in Execution of this Act, if sufficient Tender of Amends shall be made by or on behalf of the Party or Parties who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceeding, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants, in any such Action, by Leave of the Court wherein 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 Order or Judgment shall be had, made, or given by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Distress not unlawful for want of Form.

CXVI. And be it further enacted, That where any Distress shall be made for 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, *ab initio*, on account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage only, in an Action on the Case.

Limitation of Actions.

CXVII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, until Twenty-eight Days Notice thereof shall have been given to the Clerk of the said Commissioners for executing this Act, or after such sufficient Satisfaction or Tender of Amends shall have been made to the Party aggrieved, or after Six Calendar Months next after the Fact committed, and every such Action or Suit shall be brought and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant in every such Action or Suit shall and may plead the General Issue, and give this Act as the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if such Action or Suit shall be brought before Twenty-eight Days Notice thereof shall have been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time herein-before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find a Verdict for the Defendant, and upon such Verdict, or if the Plaintiff shall become nonsuit, or discontinue his or her Action after the Defendant shall appear, or if upon Demurrer, Judgment shall be given against the Plaintiff, then the Defendant shall recover Treble Costs, and share such Remedy for the same as any Defendant hath for Costs of Suit in other Cases of Law.

Saving the Rights of the Chelsea Grand Junction and West Middlesex Water Companies.

CXVIII. Provided always, and be it further declared and enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, or take away any Right, Power, Interest, Privilege, Advantage, or Authority, which by Law is now vested in the Governor and Company of *Chelsea* Water-works, the Grand Junction Water-works Company, and the Company of Proprietors of the *West Middlesex* Water-works, but that all and every the Rights, Powers, Interests, Privileges, Advantages, and Authorities so vested in the said Companies respectively, may be exercised and enjoyed in as full and ample a Manner to all Intents and Purposes as the same were or was exercised and enjoyed by the said Companies respectively, immediately before the passing of this Act.

Extending 57 G. 3. c. xxix. to this Act.

CXIX. And be it further enacted, That it shall and may be lawful for the said Commissioners for executing this Act to enforce and cause to be enforced such of the Powers, Regulations, and Authorities contained in the said Act, passed in the Fifty-seventh Year of the Reign of His said late Majesty, intituled *An Act for better paving and improving*

proving the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein, as the said Commissioners shall think beneficial to be enforced; and all the Clauses, Provisions, Powers, and Authorities in the said Act contained, where the same are not hereby varied or altered, or where similar Clauses, Powers, Authorities, and Provisions are not contained in this Act, shall extend to the said several Streets, Parts of Streets, Circuses, Terraces, Ways, Passages, and Places, set out and delineated on the said respective Maps and Plans, and to be paved, repaired, lighted, watched, cleansed and regulated according to the Directions of this Act, and shall be put in Execution as if the same were repeated and re-enacted in and by this Act.

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