ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

****

Cap. clxxvii.

An Act for more effectually paving, cleansing, lighting, and otherwise improving the Parish of *Saint Mary Magdalen Bermondsey* in the County of *Surrey*. [31st *July* 1845.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for paving the Streets and Lanes within the Town* 6 G. 3. c. 24. *and Borough of* Southwark, *and certain Parts adjacent, in the County of* Surrey, *and for cleansing, lighting, and watching the same, and also the Courts, Yards, Alleys, and Passages adjoining thereto, and for preventing Annoyances therein:* And whereas an Act was passed in the Eleventh Year of the Reign of His said Majesty, intituled *An Act* 11 G. 3. c. 17. *to explain and amend so much of the said Act of the Sixth Year of His present Majesty, for paving the Town and Borough of* Southwark *in the County of* Surrey, *as relates to the Commissioners of Sewers; and for regulating the Manner of taxing Churches and other public Buildings within the Limits of the said Act:* And whereas an Act was passed in the Twenty-eighth Year of the Reign of His said Majesty, intituled *An Act for enabling the Commissioners for putting* 28 G. 3. c. 68. *in execution an Act made in the Sixth Year of the Reign of His present Majesty, for paving the Streets and Lanes within the Town and Borough of* Southwark, *and certain Parts adjacent, in the*

County of Surrey, *and for cleansing, lighting, and watching the same, and also the Courts, Yards, Alleys, and Passages adjoining thereto, and for preventing Annoyances therein, to open, widen, and better regulate the several Streets, Lanes, and Passages within the East Division in the said Act described:* And whereas an Act was passed in the Fifty-second Year of the Reign of His late Majesty, intituled
52 G. 3. c. 111. *An Act for paving the Footpaths, and for lighting and watching that Part of the* Kent Street Road *which leads from* Kent Street End *unto the Bridge next immediately below the* Green Man *Turnpike situated within the Parish of* Saint George the Martyr Southwark *in the County of* Surrey, *and certain public Streets, Squares, Lanes, Passages, and Places communicating therewith, respectively situated within the said Parish, or within the Parishes of* Saint Mary Magdalen Bermondsey *and* Saint Mary Newington *adjoining thereto, and for removing and preventing Encroachments and Annoyances therein:* And whereas an Act was passed in the Fifty-ninth Year of the Reign
59 G. 3. c. 21. of His said Majesty, intituled *An Act for lighting, watching, and cleansing* Long Lane *in the Parish of* Saint Mary Magdalen Bermondsey *in the County of* Surrey, *and the Streets, Lanes, Passages, and Places contiguous or adjoining thereto, within the same Parish:* And whereas an Act was passed in the Fourth Year of the Reign of
4 G. 4. c. 75. His Majesty King *George* the Fourth, intituled *An Act for lighting, watching, and cleansing the* Grange Road, *and other Parts of the Parish of* Saint Mary Magdalen Bermondsey, *in the County of* Surrey: And whereas another Act was passed in the Fourth Year of the Reign
4 G. 4. c. 91. of His said Majesty King *George* the Fourth, intituled *An Act for repairing, maintaining, and improving the Highways and other public Places in the Parish of* Saint Mary Magdalen Bermondsey *in the County of* Surrey: And whereas another Act was passed in the Session of Parliament held in the Fourth and Fifth Years of the Reign of His
4 & 5 W. 4. c. 95. late Majesty King *William* the Fourth, intituled *An Act for better paving, cleansing, lighting, and improving the Water-side Division of the Parish of* Saint Mary Magdalen Bermondsey *in the County of* Surrey: And whereas many of the Provisions of the said several recited Acts are found to be inadequate to the several Purposes for which they were intended, and it is expedient that the same, so far as they extend to the Parish of *Saint Mary Magdalen Bermondsey*, should be repealed, and that further and more effectual Powers should be granted instead thereof; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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 on the Commencement of this Act so much of the said Acts passed in the Sixth, Eleventh, Twenty-eighth, and Fifty-second Years of the Reign of His Majesty King *George* the Third as relates to or affects the said Parish of *Saint Mary Magdalen Bermondsey*, and the whole of the said Acts passed in the Fifty-ninth Year of the Reign of His said Majesty King *George* the Third, the Two Acts passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, and the said Act passed in the Fourth and Fifth Years of the Reign of His said late Majesty King *William* the Fourth, shall be and the same

Repeal in part of recited Acts.

same are hereby declared to be repealed: Provided always, that the Repeal of the said Acts shall not extend or be construed to extend to revive any Act recited in any such Acts and thereby repealed.

Contracts made by the Commissioners, and Rates, Assessments, and Orders for Payment of Money, under repealed Acts, to remain in force.

II. And be it enacted, That all Conveyances, Contracts, Bonds, Agreements, Securities, and Engagements heretofore entered into by or with the Commissioners or other Persons acting under or by virtue of the said recited Acts of the Fifty-ninth Year of the Reign of His said Majesty King *George* the Third, the Two Acts passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, and the said Act passed in the Fourth and Fifth Years of the Reign of His said late Majesty King *William* the Fourth, any or either of them, in pursuance of the Powers therein respectively contained, and all Rates, Assessments, and Orders for the Payment of any Money by any Person whomsoever, under and by virtue of the said Acts, shall be in full Force and Effect in the same Manner as if this Act had not been passed; and the Performance of such Contracts, Bonds, Agreements, and Engagements, and the Payment of the said several Sums of Money, may be enforced by or against the Commissioners for putting this Act into execution, or any other Person interested therein, and the said several Rates and Assessments may be levied and recovered, in the same Manner as if such Contracts, Rates, or Assessments had been respectively made, and such several Sums of Money had respectively become due, under and by virtue of this Act.

Officers to hold Situations until removed.

III. And be it enacted, That every Clerk, Surveyor, Collector, and all other Officers and Servants appointed by virtue and in pursuance of the said recited Acts hereby entirely repealed, any or either of them, shall hold and enjoy their several and respective Offices and Employments, together with their several and respective Salaries, Gratuities, and Allowances thereto annexed, until they shall be removed therefrom respectively by the said Commissioners for putting this Act into execution; and every such Clerk, Surveyor, Collector, and other Officer and Servant shall, while he shall continue in Office, be subject to the like Pains and Penalties, and Powers of Removal, and to the like Rules and Regulations, as if he had been appointed by virtue of this Act.

Officers who lose their Appointments entitled to Compensation.

IV. And be it enacted, That every Person now holding any Office under the Acts hereby entirely repealed, and who shall not be appointed to some similar Office under this Act, shall be entitled to Compensation, to be paid by the Commissioners for executing this Act within Six Months after the Commencement of the same; and in each Case the Commissioners shall ascertain the Amount of the Salary payable to such Party, and all the Circumstances of the Case, and shall award such gross or yearly Sum, at the Option of the Party to receive the same, as the said Commissioners shall think just to be awarded in each Case, and shall order and direct such Compensation to be paid out of the Monies to be raised by virtue of this Act: Provided always, that such Determination or Order shall be subject to Appeal in like Manner as any other Determination or Order of the said Commissioners.

V. And

Persons who have acted under late Acts to account for Monies and deliver up Books.

V. And be it enacted, That all Persons acting or who have acted under the said recited Acts hereby entirely repealed, any or either of them, who shall have in their Custody, Power, or Possession any Money collected by virtue of the said Acts, any or either of them, or any Books, Papers, or Writings relating to the Execution of the recited Acts, any or either of them, shall forthwith pay and deliver up the same to the Commissioners, or to such other Persons as they shall appoint to receive the same; and in case of Neglect or Refusal the Persons so neglecting or refusing shall forfeit and pay any Sum not exceeding Fifty Pounds, and also be liable to such Actions as the Commissioners may legally commence for the Recovery of Money, Books, Papers, or Writings so refused or neglected to be paid or delivered up as aforesaid.

Commissioners appointed.

VI. And be it enacted, That all Her Majesty's Justices of the Peace for the County of *Surrey*, being Inhabitants or Owners and Occupiers of Lands within the said Parish, together with *William Brown*, *Samuel Bevington*, *John Christy*, *Beriah Drew*, *William Darnell*, *Bryan Donkin*, *Henry Elkington*, *Thomas Hepburn*, *Thomas Rowland Legg*, *Cyrus Legg*, *William Mars*, *Thomas Norton* the younger, *Joseph Nicholson*, *James Procter*, *George Porter*, *Richard Saunders*, *Thomas Smith* the younger, *Samuel Henry Sterry*, *Henry Sterry*, *John Smith*, *Jacob Tout*, *John Vousley*, *William Wilson*, *Richard Walker* the younger, and their Successors, being Inhabitants or Occupiers of Lands within the Land-side Division of the said Parish, and *John Addis*, *Alexander Baxter*, *John Dudin Brown*, *Thomas Crisp*, *William Creak*, *Charles Rogers Cotton*, *Henry Dudin*, *Michael Drew*, *Christopher Hays*, *William Ramsey*, *Robert Redman*, *John Simson*, *Thomas Young*, *George Stone*, *William Smith*, *Thomas Groves*, *James Finmore*, *Henry Newton Brewer*, and their Successors, being Inhabitants or Occupiers of Lands within the Water-side Division of the said Parish, shall be the first Commissioners for carrying this Act into execution, and shall continue in Office until other Commissioners shall be elected in their Place in manner hereinafter mentioned, and such Commissioners shall be known by the Name of "The Commissioners for improving the Parish of *Saint Mary Magdalen Bermondsey* in the County of *Surrey*."

Qualification of Commissioners.

VII. And be it enacted, That every Commissioner under this Act shall be an Inhabitant or Occupier of Lands within the said Parish, and be rated to the Rates made for the Relief of the Poor of the said Parish in the annual Sum of Thirty Pounds or upwards, and shall be also possessed of a Freehold Estate or Personal Estate, or Real and Personal Estate together, of the Value of One thousand Pounds over and above what will be sufficient to satisfy all his just Debts.

No Bankrupt or Insolvent to be a Commissioner.

VIII. And be it enacted, That no Bankrupt or Insolvent, or Person not qualified as herein-before mentioned, shall be capable of being or continuing a Commissioner.

No Person holding Office or concerned

IX. And be it enacted, That if any Person, being a Commissioner, shall accept or continue to hold any Office or Place of Profit under this Act, or be concerned in any Contract, or have any Share or Interest

Interest in any Work to be done under the Authority of this Act, such Person shall cease to be a Commissioner, and his Office shall thereupon become vacant. in a Contract to be a Commissioner.

X. Provided always, and be it enacted, That no Person, being a Shareholder or Member of any Joint Stock Company established by Act of Parliament, or of any other Company or Partnership engaged in the Manufacture of Gas, shall be prevented from acting as a Commissioner by reason of any Contract entered into between such Company or Partnership and the Commissioners; but no such Commissioner, being a Shareholder or Member of such Company or Partnership, shall vote on any Question relating to the Execution of this Act in which such Company or Partnership may be interested. Shareholders of any Joint Stock Company not disqualified by reason of Contracts.

XI. And be it enacted, That a Person shall not be incapable of acting as a Justice of the Peace in any Matter relating to the Execution of this Act by reason of his being a Commissioner (except as is herein otherwise provided). Commissioner not incapable of acting as a Justice.

XII. And be it enacted, That no Person shall be capable of acting as a Commissioner (except in administering the Declaration hereinafter mentioned) until he shall have made and signed before one of the Commissioners a Declaration to the Effect following: Declaration by Commissioners.

'I *A. B.* do solemnly declare, That I will faithfully and impartially, according to the best of my Skill and Judgment, execute all the Powers and Authorities reposed in me as a Commissioner by virtue of an Act of Parliament, intituled [*here insert the Title of this Act*], and also that I am an Inhabitant or Occupier of Lands within the said Parish, and am rated to the Rates made for the Relief of the Poor of the said Parish in the annual Sum of Thirty Pounds, and also am possessed of a Real Estate, *or* Personal Estate, *or* Real and Personal Estate together, of the Value of One thousand Pounds over and above what will be sufficient to satisfy all my just Debts.'

XIII. And be it enacted, That any Person who shall falsely or corruptly make and subscribe a Declaration under this Act knowing the same to be untrue in any Particular shall be deemed guilty of a Misdemeanor. False Declaration a Misdemeanor.

XIV. And be it enacted, That at the Meeting of Commissioners at which any Person shall first attend as one of such Commissioners such Person shall make and subscribe the Declaration herein required, and it shall be lawful for any Person attending as one of such Commissioners, whether he shall himself have made such Declaration or not, or the Clerk to the Commissioners, to administer such Declaration. Declaration to be taken at the first Meeting.

XV. And be it enacted, That if any Person shall act as a Commissioner, being incapacitated to act, or not being duly qualified, or before he shall have made or subscribed such Declaration as aforesaid, or after having become disqualified, he shall for every such Offence forfeit Penalty on Commissioner acting not being qualified.

forfeit the Sum of Fifty Pounds; and such Penalty may be recovered, with full Costs of Suit, in any of the Superior Courts, by any Person who shall sue for the same, by Action of Debt or on the Case; and in every Action for the Recovery of such Penalty the Person so sued shall prove that he was qualified, and had made and subscribed the Declaration aforesaid, or he shall pay the said Penalty and Costs, without any other Proof or Evidence on the Part of the Plaintiff than that such Person had acted as a Commissioner in the Execution of this Act; nevertheless all Acts and Proceedings of any Person acting as a Commissioner, being incapacitated, not duly qualified, or being disqualified, done previously to the Recovery of the Penalty, shall be as valid as if such Person had been duly qualified.

Commissioners neglecting to act.

XVI. And be it enacted, That if any Commissioner fail to act in the Execution of this Act for One Year such Commissioner (except in case of Illness for that Year) shall be deemed to have refused to act, and thereupon shall cease to be a Commissioner until he shall be re-elected as herein-after mentioned.

Period of Service of Commissioners of Land-side Division, and Time of going out of Office.

XVII. And be it enacted, That the Commissioners appointed by this Act for the Land-side Division of the said Parish shall go out of Office by Rotation, as follows; (that is to say,) on the Second *Monday* in the Month of *February* One thousand eight hundred and forty-seven One Third of the Commissioners appointed for the Land-side Division of the said Parish shall go out of Office, and at the same Time in the following Year One Half of the remaining Commissioners for the said Land-side Division shall go out of Office, and at the same Time in the following Year the Remainder of the Commissioners for the said Land-side Division shall go out of Office, and at the same Time in every subsequent Year One Third of the Commissioners for the said Land-side Division, being those who have been longest in Office, shall go out of Office: Provided always, that if the Number of Commissioners be some Number not divisible by Three, the Commissioners shall in each Case determine what Number of Commissioners, as nearly One Third as may be, shall go out of Office, so that the whole Number shall go out of Office in Three Years; and in each Instance the Places of the retiring Commissioners shall be supplied by the Election of a similar Number of Commissioners as herein-after provided.

For supplying Vacancies of such Commissioners.

XVIII. And be it enacted, That the Inhabitants or Occupiers of Lands within the Land-side Division of the said Parish who shall be rated to and have paid in their own Right the Rates made by virtue of this Act up to the preceding First Day of *February*, or so many of them as shall think fit, shall and may assemble in some convenient Place within the said Land-side Division of the said Parish on the Second *Wednesday* in the Month of *February* yearly, for the Purpose of electing and appointing Inhabitants or Occupiers of Lands within the said Division of the said Parish, duly qualified to be Commissioners under this Act, to fill up the Vacancies occurring in the Number of Commissioners, at which Meeting some Inhabitant of the said Division chosen by the Inhabitants shall preside; and any such Inhabitant or Occupier of Lands may at such Meeting nominate an

Inhabitant or Occupier as aforesaid, duly qualified, to fill up any Vacancy in the Number of such Commissioners, and the Person so nominated, and approved of by a Majority of such Meeting, shall be a Commissioner to fill up such Vacancy: Provided always, that if it shall appear doubtful whether any Person so nominated is approved of by the Majority at such Meeting, or a Poll shall be demanded on behalf of any such Person, the Election shall be determined by a Poll of the Persons then qualified, or who shall duly qualify themselves previous to voting in the said Election by paying the said Rates owing at the Time of taking the said Poll; and such Poll shall be held and commence before a Person chosen to preside at such Meeting as aforesaid at the Hour of Ten of the Clock in the Forenoon on the *Monday* next after the said First Meeting, and shall be duly kept open and proceeded on from Day to Day from the Hours of Ten of the Clock in the Forenoon until Three of the Clock in the Afternoon of each Day, unless the same shall be previously closed by the Consent of the Candidates, or by reason that no Person, duly qualified, tenders his Vote within the Space of Half an Hour from the Time when the Person who was last polled appeared and tendered his Vote for any of the Candidates; provided also, that no such Poll shall continue more than Two Days in the whole; and the Person presiding at such Meeting shall immediately after the said Poll shall be finally closed publicly declare the Names of the Persons who shall have the Majority of Votes on such Poll, and that they are duly elected; and whenever the Number of Votes shall be equal the Person so presiding shall have Two Votes.

Period of Service of Commissioners for Water-side Division, and Time of going out of Office.

XIX. And be it enacted, That the Commissioners appointed by this Act for the Water-side Division of the said Parish shall go out of Office by Rotation, as follows; (that is to say,) on the Second *Monday* in the Month of *February* One thousand eight hundred and forty-seven One Third of the Commissioners appointed for the Water-side Division of the said Parish shall go out of Office, and at the same Time in the following Year One Half of the remaining Commissioners for the said Water-side Division shall go out of Office, and at the same Time in the following Year the Remainder of the Commissioners for the said Water-side Division shall go out of Office, and at the same Time in every subsequent Year One Third of the Commissioners for the said Water-side Division, being those who have been longest in Office, shall go out of Office; provided always, that if the Number of Commissioners be some Number not divisible by Three, the Commissioners shall in each Case determine what Number of Commissioners, as nearly One Third as may be, shall go out of Office, so that the whole Number shall go out of Office in Three Years; and in each Instance the Places of the retiring Commissioners shall be supplied by the Election of a similar Number of Commissioners as herein-after provided.

For supplying Vacancies of such Commissioners.

XX. And be it enacted, That the Inhabitants or Occupiers of Lands within the Water-side Division of the said Parish who shall be rated to and have paid in their own Right the Rates made by virtue of this Act up to the preceding First Day of *February*, so many of them as shall think fit, shall and may assemble in some convenient Place within the said Water-side Division on the Second *Thursday*

in

in the Month of *February* yearly, for the Purpose of electing and appointing Inhabitants or Occupiers of Lands within the said Division of the said Parish, duly qualified to be Commissioners under this Act, to fill up the Vacancies occurring in the Number of Commissioners, at which Meeting some Inhabitant of the said Division chosen by the Inhabitants shall preside; and any such Inhabitant or Occupier of Lands may at such Meeting nominate an Inhabitant or Occupier as aforesaid, duly qualified, to fill up any Vacancy in the Number of such Commissioners, and the Person so nominated and approved of by a Majority of such Meeting shall be a Commissioner to fill up such Vacancy: Provided always, that if it shall appear doubtful whether any Person so nominated is approved of by the Majority at such Meeting, or a Poll shall be demanded on behalf of any such Person, the Election shall be determined by a Poll of the Persons then qualified, or who shall duly qualify themselves previous to voting in such Election by paying the said Rates owing at the Time of taking the said Poll; and such Poll shall be held and commence before the Person chosen to preside at such Meeting as aforesaid at the Hour of Ten of the Clock in the Forenoon on the *Wednesday* next after the said first Meeting, and shall be duly kept open and proceeded on from Day to Day from the Hours of Ten of the Clock in the Forenoon until Three of the Clock in the Afternoon of each Day, unless the same shall be previously closed by the Consent of the Candidates, or by reason that no Person, duly qualified, tenders his Vote within the Space of Half an Hour from the Time when the Person who has last polled appeared and tendered his Vote for any of the Candidates; provided also, that no such Poll shall continue more than Two Days in the whole; and the Person presiding at such Meeting shall immediately after the said Poll shall be finally closed publicly declare the Names of the Persons who shall have the Majority of Votes on such Poll, and that they are duly elected; and whenever the Number of Votes shall be equal the Person so presiding shall have Two Votes.

Commissioner re-eligible.

XXI. And be it enacted, That every Commissioner going out of Office may be re-elected, and after such Re-election he shall, with reference to going out by Rotation, be considered as a new Commissioner.

Rotation of Commissioners named by the Act.

XXII. And in order to determine the Rotation by which the Commissioners are required to go out of Office, be it enacted, That within Two Months after the passing of this Act the Commissioners shall meet at the Committee Room of the *Bermondsey* Workhouse, or at some other convenient Place within the said Parish, for the Purpose of forming Rotation Lists of the Commissioners; and at such Meeting the Clerk to the Commissioners, or some other Person to be previously appointed by the Commissioners for that Purpose, shall write the Names of all the then Commissioners for the said respective Divisions on separate Slips of Paper, all as nearly as may be of equal Size, and having folded them up in the same Manner he shall put the Names of the Commissioners for the Land-side Division in one Box, and the Names of the Commissioners for the Water-side Division in another Box, and shall draw out such respective Slips in succession; and the Names upon the Slips so drawn from such respective Boxes

shall

shall be inserted by such Clerk in Lists in the Order in which they shall be so drawn; and such Lists shall be kept by such Clerk for the Purposes of this Act, and the Names in such List for each Division shall be numbered consecutively, and the Commissioners shall retire from Office in the Order in which their Names shall appear in such respective List according to the Proportions herein-before mentioned.

Determining the Water-side and Land-side Divisions of the Parish.

XXIII. And be it enacted, That the Water-side Division of the said Parish for the Purposes of this Act shall commence at the Boundary of the said Parish at *Dockhead*; that is to say, the Head of *Saint Saviour's Dock* on the one Side of the said Street, and the Grocer's Shop now in the Occupation of *Edward Stone* on the other Side of the said Street, and shall proceed along the South Side of the Premises in the Occupation of the said *Edward Stone*, and include all the Premises in the respective Occupations of *Robert James Bristow* and *Edward Newman*, and from the Premises in the Occupation of the said *Edward Newman* shall proceed Eastward along the Sewer dividing the Estate formerly of *Nathaniel Carroll* from the Estate formerly of *George Choumert* up to the *Neckinger Road*, and then shall turn Northward along the East Side of the Mill Stream to within One hundred and fifty Yards of *Lilliput Hall Bridge*, and then turning East shall proceed in a Line in the Rear of the Houses on the South Side of the Turnpike Road called the *Bermondsey*, *Rotherhithe*, and *Deptford Road*, at the Distance of One hundred and fifty Feet of the said Turnpike Road, to *Blue Anchor Lane*, and from *Blue Anchor Lane* shall turn South and proceed along *Duffield Sewer* to the End of the Garden Ground in the Occupation of *George Curtis*, and from thence along a Sewer or Ditch still running South up to *Galley Wall*, and which Division shall include all Parts of the said Parish as shall be situate on the East and North Sides of the said Line, but not including the said *Galley Wall*, and that the Land-side Division of the said Parish shall comprise all other Parts of the said Parish.

First and other Meetings.

XXIV. And be it enacted, That the Commissioners shall hold their First General Meeting at the Committee Room of the *Bermondsey* Workhouse, or some other convenient Place within the said Parish, on the First *Thursday* after the Commencement of this Act, or as soon as conveniently may be, and proceed to put this Act into execution; and an annual General Meeting of the Commissioners shall be held on the Second *Monday* in the Month of *January*, or within Fourteen Days thereafter, in each Year, at the Place aforesaid, unless some other Place shall be appointed by the Commissioners; and it shall be lawful for the Commissioners present at such first or any subsequent Meeting from Time to Time to adjourn such Meeting to the same or any other Place within the said Parish; and if at any such Meeting there shall not be Three Commissioners present within Half an Hour after the Time appointed for such Meeting, then it shall be lawful for the Commissioners present, or any One Commissioner if only One be present, to adjourn such Meeting to another Day; and if the Meeting shall not be adjourned, then it shall be lawful for any Two of the Commissioners or the Clerk to appoint a Meeting to be held at any convenient Place within the said Parish,

and not less than Three Days Notice shall be given of such intended Meeting.

Special Meetings.

XXV. And be it enacted, That it shall be lawful for the Commissioners to hold Special Meetings, and any Three or more of the Commissioners, or any Seven or more Rate-payers entitled to vote on the Election of Commissioners, may, by Writing under their Hands, require the Clerk of the Commissioners to call such Special Meeting, and thereupon the Clerk shall forthwith give Notice for such Meeting accordingly, but no such Meeting shall be held unless Three Days Notice thereof shall be given.

Quorum of Commissioners.

XXVI. And be it enacted, That all the Powers of this Act may be exercised by any Three or more of the Commissioners present at any Meeting holden in pursuance of this Act, and no Business shall be transacted at any Meeting of the Commissioners unless Three or more Commissioners shall be present at such Meeting.

How Notices of Meetings are to be given.

XXVII. And be it enacted, That all Notices of any Meeting of Commissioners to be held under the Authority of this Act shall be in Writing or in Print, or partly in Writing and partly in Print, and shall be delivered or sent by the Post to the usual Place of Abode or Place of Business in the Parish of each of the Commissioners; and every Notice shall specify the Time and Place of Meeting, and in case of a Special Meeting shall specify the Object thereof; and no Business shall be transacted at any Special Meeting except such as is stated in the Notice thereof.

Expences of Meetings.

XXVIII. And be it enacted, That at all Meetings of the Commissioners they shall defray their own Expences, except for the Use of the Room in which the Meeting is held, and the reasonable Expences incurred in making Surveys and Views.

General Meeting may appoint Committees.

Duration of Committees.

XXIX. And be it enacted, That it shall be lawful for the Commissioners at any General Meeting to appoint a Committee, consisting of not more than Nine of the Commissioners, for carrying into effect any of the Provisions of this Act, and at any General Meeting to continue, alter, or discontinue such Committee; but no such Committee shall be appointed to act for a longer Term than until the annual General Meeting of the Commissioners next following its Appointment.

Quorum of Committees.

XXX. And be it enacted, That no Business shall be transacted at any Meeting of any Committee unless Three Members of the Committee be present.

Order of Business at Meetings of Commissioners and Committees.

XXXI. And be it enacted, That at every Meeting of the Commissioners or Committee One of the Commissioners present shall be elected Chairman by the Majority of the Votes of the Commissioners present at such Meeting; and all Questions considered at any such Meeting shall be decided by the Votes of the Majority present, and if there be an equal Division of Votes the Chairman, in addition to his own

own Vote as a Commissioner or Member of the Committee, shall have a casting Vote: Provided always, that if at any such Meeting there shall be an Equality of Votes in the Election of the Chairman, then such One of the Commissioners having such equal Number of Votes whose Name would stand first if the Names of the Commissioners present were alphabetically arranged shall be Chairman of such Meeting.

No Resolution of Commissioners to be revoked at a subsequent Meeting unless under certain Circumstances.

XXXII. And be it enacted, That no Resolution or other Act of any Meeting of the Commissioners shall be revoked or altered at any subsequent Meeting, unless such subsequent Meeting be called expressly for such Alteration or Revocation by Notice given Seven Days at least previous to the holding thereof, nor unless such Revocation or Alteration be determined upon by a Majority consisting of Two Thirds of the Commissioners present at such subsequent Meeting, if the Number of the Commissioners present at such subsequent Meeting be not greater than the Number present when such Resolution was made or such Act was done, or if the Number of the Commissioners present at such subsequent Meeting be greater than the Number present at such former Meeting, then by a simple Majority.

For what Contracts may be made.

XXXIII. And be it enacted, That it shall be lawful for the Commissioners to enter into Contracts with any Persons for the Execution of any Works directed or authorized by this Act to be done by the Commissioners, and for furnishing any Materials for the same, or which may be required by the Commissioners; and every such Contract shall be in Writing, and shall specify the Works to be done, and the Materials to be furnished; and a Duplicate thereof shall be entered into a Book to be kept by the Clerk to the Commissioners for that Purpose, and shall be signed by the Persons contracting for the Execution of such Works.

How to be signed.

XXXIV. And be it enacted, That every such Contract shall be signed by any Three of the Commissioners; and such Contract shall be binding on the Commissioners, and Actions and Suits may be maintained thereon, and Damages and Costs recovered by or against the Commissioners, or the other Parties failing in the Execution thereof.

Materials for Works contracted for to be considered the Property of the Commissioners.

XXXV. And be it enacted, That during the Execution of any such Contract the Works in course of being done under such Contracts, and all the Materials of every Description brought upon or near such Works for the Purpose of being used in the Execution of such Contracts, shall for the Purposes of any Indictment under this Act be held to be the Property of the Commissioners.

Indictments how to be preferred.

XXXVI. And be it enacted, That it shall be lawful for the Commissioners by their Clerk to prefer any Bill of Indictment against any Person who shall steal, take or carry away, deface or injure, any Property, Article, or Thing belonging to the Commissioners; and in any such Bill of Indictment it shall be sufficient to state generally the Property, Article, or Thing in respect of which such Bill of Indictment

ment shall be preferred to be the Property of the Commissioners, without naming the Commissioners.

Commissioners not to be personally liable.

XXXVII. And be it enacted, That nothing in any Deed or Contract by this Act authorized to be made by or on the Behalf of the Commissioners for any of the Purposes of this Act shall extend to charge or affect the Persons of any of the Commissioners, or their Heirs, Executors, or Administrators, or any of their own proper Lands or Goods, with or for the Performance of any thing contained in any such Instrument; but the Amount of all Damages, Costs, and Charges recovered in any Action or Suit in consequence of any such Instrument, or which any Commissioner shall otherwise be put to by virtue of this Act, shall be respectively discharged out of the Monies to arise by virtue of this Act, or other the Goods and Chattels vested in the Commissioners by virtue of their Office, unless such Action or Suit, or any such Damages or Charges, have arisen in consequence of wilful Neglect or Default on the Part of the Commissioners incurring the same, or unless such Action or Suit have been defended without the Order or Direction of the Commissioners.

Liability of their Funds.

Actions or Suits to be brought in the Name of any Two Commissioners or of their Clerk.

XXXVIII. And be it enacted, That in all Actions and Suits in respect of any Matter or Thing relating to the Execution of this Act to be brought by or against the Commissioners it shall be sufficient to state the Names of any Two of the Commissioners, or the Name of their Clerk, as the Party, Plaintiff or Defendant, representing the Commissioners in any such Action or Suit; and no such Action shall abate or be discontinued by the Death of any such Commissioner, or by the Death, Suspension, or Removal of such Clerk.

Execution against Commissioners.

XXXIX. And be it enacted, That Executions upon every Judgment or Decree against the Commissioners in any such Action or Suit shall be executed against the Goods and Chattels belonging to the Commissioners by virtue of their Office.

Indemnity to Commissioners and Clerk.

XL. And be it enacted, That every such Commissioner or Clerk in whose Name any such legal Proceedings shall be carried on, either as Plaintiff or Defendant, in behalf of the Commissioners, and all Justices of the Peace acting in execution of this Act, shall be reimbursed, out of the Monies which shall come into the Hands of the Treasurer of the Commissioners by virtue of his Office, all Damages, Costs, Charges, and Expences to which any such Commissioner, Clerk, or Justice may be put, or with which he may become chargeable, by reason of being so made Plaintiff or Defendant; and no such Commissioner, Clerk, or Justice shall be personally liable for the Payment of the same, unless such Action or Suit have arisen in consequence of his own wilful Neglect or Default, or unless, if such Action have been brought by the Clerk or Two Commissioners or more as aforesaid, it have been so brought without the Order or Direction of the Commissioners.

Proceedings to be entered in a Book, and be open for Inspection.

XLI. And be it enacted, That the Commissioners shall cause Notes, Minutes, or Copies, as the Case may require, of all Appointments made or Contracts entered into by them, and of the Orders and

Proceedings of all Meetings, as well ordinary as special, of the Commissioners and of the Committees, to be duly entered in Books to be from Time to Time provided for the Purpose, which shall be kept under the Superintendence of the Commissioners; and every such Entry shall be signed by the Chairman of the Meeting at which the Matter in respect of which such Entry is made was moved or discussed, or by some Commissioner present at such Meeting; and such Entry, so signed, shall be received as Evidence in all Courts, and before all Judges, Justices, and others, without Proof of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Commissioners or Members of Committee respectively, or of the Signature of the Chairman or Commissioner, all of which last-mentioned Matters shall be presumed; and all such Books shall at all reasonable Times be open to the Inspection of the Commissioners, and any of the Creditors or Ratepayers, or other Parties interested, on Payment to the Clerk to the Commissioners for every such Inspection of the Sum of One Shilling for every Book inspected.

Commissioners to appoint Treasurer and other Officers.

XLII. And be it enacted, That the Commissioners shall from Time to Time appoint a Treasurer, Clerk, Surveyor, Collector, and Assessor, Beadle, Streetkeeper, and such other Officers as they shall think fit, with such Salaries and Allowances as they think reasonable, and may remove such Treasurer, Clerk, Surveyor, Collector, Assessor, Beadle, Streetkeeper, and Officers, and appoint others in their Stead.

Officers of Clerk and Treasurer to be separate.

XLIII. And be it enacted, That neither the Person who shall hold the Office of Clerk, nor the Partner of such Clerk, nor any Person in the Service or Employ of such Clerk or of his Partner, shall be eligible to be Treasurer; and that neither the Person who shall be the Treasurer, nor the Partner of such Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be Clerk; and if any Person offend in any of the following Cases he shall forfeit One hundred Pounds; (that is to say,) Penalty.

If any Person accept both the Office of Clerk and Treasurer:

If any Person, being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, accept the Office of Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer:

If any Person, being the Treasurer, or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Clerk, or act as Deputy of such Clerk, or in any Manner officiate for such Clerk:

If any such Clerk or Treasurer hold any Place of Profit or Trust under the Commissioners other than that of Clerk or Treasurer, as the Case may be:

And any Person may sue for such Penalty, either by Action of Debt or on the Case, in any of the Superior Courts, and shall, on the Recovery thereof, be entitled to full Costs of Suit.

Officer taking Fees to lose his

XLIV. And be it enacted, That if any Treasurer, Clerk, Surveyor, Collector, or other Officer employed by the Commissioners, exact, take,

Office and forfeit Ten Pounds.

take, or accept, on account of any thing done by virtue of his Office, or in relation to the Functions of the Commissioners, any Fee or Reward whatsoever, other than the Salaries, Reward, or Allowances allowed by the Commissioners, or be in anywise concerned or interested in any Bargain or Contract made by the Commissioners, he shall be incapable of being afterwards employed by the Commissioners, and he shall forfeit Ten Pounds to any Person who shall sue for the same as aforesaid.

Commissioners to take Security from all Officers intrusted with Money.

XLV. And be it enacted, That the Commissioners shall take from their Treasurer, and also from all other Officers in their Employ intrusted with the Receipt or Disbursement of Money, sufficient Security for the due Execution of their respective Offices, and for answering and paying, as the Commissioners may from Time to Time require, all Sums of Money which shall be by them respectively received, and also for their giving and making respectively true Accounts in Writing, from Time to Time when required by the Commissioners so to do, of all Monies by them respectively received or collected for the Purposes of this Act, and when, of whom, and for what the same were so received and collected.

Officers to account.

XLVI. And be it enacted, That every Officer appointed or employed by the Commissioners by virtue of this Act shall from Time to Time, when required by the Commissioners, make out, and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing under his Hand of all Monies received by him on behalf of the Commissioners; and such Account shall state how, and to whom, and for what Purpose such Monies have been disposed of; and, together with such Account, such Officer shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Commissioners, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Remedy against Officers failing to account.

XLVII. And be it enacted, That if any such Officer shall fail to render such Accounts, or to produce and deliver up all the Vouchers and the Receipts relating to the same in his Possession or Power, or to pay the Balance thereof, when thereunto required, or if for Three Days after being thereunto required he shall fail to deliver up to the Commissioners, or to any Person appointed by them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Commissioners, then, on Complaint thereof being made to any Magistrate of the Metropolitan Police Courts, such Magistrate shall, by Warrant under his Hand and Seal, cause such Officer to be brought before him or some other Magistrate of such Courts, or if such Officer cannot be found then in his Absence such Magistrate may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either by Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Monies of the Commissioners are in the Hands of such Officer, or owing by him to the Commissioners, such Magistrate may order such Officer to pay the same forthwith; and if he shall fail

to pay the Amount it shall be lawful for such Magistrate to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain without Bail for any Time not exceeding Three Months; and in any of the following Cases, (that is to say,)

If such Officer do not appear before such Magistrate at the Time appointed; or

If such Officer appear, but fail to make out such Account in Writing; or

If such Officer refuse to produce and deliver to the Magistrate the several Vouchers and Receipts relating to such Account in his Possession or Power; or

If such Officer refuse to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, relating to the Execution of this Act, or belonging to the Commissioners, in his Possession or Power;

Such Magistrate may lawfully commit such Offender to Gaol; and in every such Case of Commitment the Prisoner shall remain in Custody without Bail until he have made out and delivered such Accounts, and delivered up the Vouchers and Receipts, if any, relating thereto, in his Possession or Power, and have delivered up such Books, Papers, Writings, Property, Effects, Matters, and Things, if any, in his Possession or Power.

Commitment not to discharge Sureties.

XLVIII. And be it enacted, That no such Proceeding against or Dealing with any such Officer as aforesaid shall deprive the Commissioners of any Remedy which they might otherwise have against any Surety of such Officer.

Books of Account to be kept, and to be open for Inspection.

XLIX. And be it enacted, That the Commissioners shall cause a Book to be kept by their Clerk, in which such Clerk shall enter or cause to be entered full and accurate Accounts of all Sums of Money received and expended for the Purposes of this Act, and of the several Matters for which such Sums of Money shall have been received or expended; and such Book shall at all seasonable Times be open to the Inspection of the Commissioners, and of every Creditor on the Rate and Assessment by this Act authorized to be made, and of every Person paying such Rate or Assessment, on Payment to the Clerk to the Commissioners of One Shilling for every such Inspection; and it shall be lawful for any of the Commissioners, Creditors, and other Persons aforesaid at seasonable Time to take Copies of or Extracts from the said Book without paying any thing for the same; and if on Request for that Purpose the Clerk shall fail to permit any of the Commissioners, Creditors, or Persons aforesaid to inspect such Book, or to take Copies or Extracts as aforesaid, such Clerk shall for each such Default forfeit a Sum not exceeding Five Pounds.

Accounts to be settled and examined at the annual Meeting.

L. And be it enacted, That the Accounts of the Monies received and expended by the Commissioners shall be produced at the annual General Meeting of the Commissioners, or at some Adjournment thereof; and such Accounts shall be examined and settled by the Commissioners, and certified accordingly under the Hand of the Chairman of such Meeting; and after such Account shall have been so allowed

and

and signed the same shall be final in regard to all Persons whomsoever, except the Auditors herein-after directed to be appointed, unless an Appeal be prosecuted against such Accounts at One of the Two then next General or Quarter Sessions, as herein-after mentioned.

Statement of Accounts to be prepared, and to be open for Inspection.

LI. Provided always, and be it enacted, That Ten Days at the least previously to such Examination and Settlement as aforesaid the Commissioners shall cause a full and true Statement and Account to be drawn out of all Rates and Assessments made, and of all Contracts entered into, and of all Monies received and expended, by virtue of this Act, during the preceding Year, and also of all Debts then owing by the Commissioners; and they shall allow such Statement and Account to remain for Inspection at the Office of the Commissioners; and every Creditor on the Rates and Assessments by this Act authorized to be made, and every Person paying any such Rate or Assessment, or any Person acting on behalf of any such Creditor or Rate-payer, may at all reasonable Times inspect such Statement and Account; and Fourteen Days at the least previously to the Meeting for examining and settling such Accounts the Commissioners shall give public Notice of such intended Meeting, stating in such Notice that the said Statement and Account will be ready at the Office of the Commissioners for the Inspection of the Creditors or Rate-payers, or other Parties interested.

Auditors to be appointed by Vestry.

LII. And be it enacted, That the Inhabitants of the said Parish in Vestry assembled on *Easter Tuesday* in each Year shall appoint Two or more Persons, not being Commissioners, to be Auditors of the Accounts of the Commissioners under this Act.

Auditors to examine the Accounts.

LIII. And be it enacted, That the Auditors so nominated shall meet in the Month of *February* next after their Appointment at the Office of the Commissioners, or some other convenient Place to be appointed by the Commissioners, and from Time to Time shall, in the Presence of the Clerk to the Commissioners, in case he should desire to be present, proceed to audit the Accounts of the Commissioners up to the Thirty-first Day of *December* preceding; and the Commissioners shall by their Clerk produce and lay before such Auditors the Statement and Accounts herein-before mentioned, together with all Books, Vouchers, Papers, and Writings in their Custody or Power relating thereto; and if such Auditors think there is just Cause to disapprove of any Part of the said Accounts, it shall be lawful for such Auditors, or any other Person interested in the said Accounts, to appeal against any such Parts of the said Accounts as shall be so disapproved of to One of the Two next General or Quarter Sessions, Notice in Writing of such Appeal being given to the Clerk to the Commissioners Fourteen Days at the least prior to the hearing of such Appeal.

Remuneration of Auditors.

LIV. And be it enacted, That the Remuneration of each of such Auditors for each such annual Audit shall not exceed the Rate of Two Guineas *per* Day, nor the Sum of Four Guineas in the whole, and the same shall be paid to them by the Commissioners.

LV. And

Annual Account to be transmitted to the Clerk of the Peace.

LV. And be it enacted, That the Commissioners shall every Year cause an annual Account in abstract to be prepared and printed, showing the total Receipt and Expenditure of all Funds levied by virtue of this Act for the Year ending on the Thirty-first Day of *December* or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Chairman for the Time being of the Commissioners, and also by the Auditors, and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County of *Surrey* on or before the Thirty-first Day of *January* then next, which Account shall be open to the Inspection of the Public at all seasonable Hours on Payment of the Sum of One Shilling for every such Inspection; and the Clerk shall, on demand, furnish a Copy thereof to every Creditor and Rate-payer without Fee: Provided always, that if the Commissioners shall omit to prepare and transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

Power to borrow Money on Mortgage.

LVI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to borrow at Interest, on the Credit of the Rates or Assessments by this Act granted, and other Property vested in the Commissioners, any Sum of Money which shall not exceed the Sum of Ten thousand Pounds, and in the event of any Part of such Sum of Money being repaid by the Commissioners to reborrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security aforesaid any more than the Sum of Ten thousand Pounds in the whole at any one Time; and for securing the Repayment of the Monies so borrowed, with Interest, the Commissioners or any Five of them may assign over the said Rates, Assessments, and Property, or any Part thereof, to the Person who shall advance or lend such Money, or his Trustee, as a Security for the Payment of the Money to be so borrowed, together with Interest for the same: Provided always, that all Mortgages and Annuities entered into under the said recited Acts hereby entirely repealed, or any of them, shall have Priority over every Mortgage granted under the Authority of this Act.

Form of Mortgage.

LVII. And be it enacted, That every such Mortgage or Assignment shall be by Deed duly stamped, in which the Consideration shall be truly stated; and every such Deed shall be under the Hands and Seals of Five of the Commissioners, and may be according to the Form in Schedule (A.) to this Act annexed, or to the like Effect.

Mortgages to be without Preference.

LVIII. And be it enacted, That all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Monies thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said Rates or Assessments and Property equally one with the other, without any Preference in respect of the Priority of advancing such Monies, or of the Dates of any such Mortgages or Assignments respectively.

Expences of Mortgages.

LIX. And be it enacted, That the Expence of every Mortgage or Assignment shall from Time to Time be defrayed by the Commissioners.

Register of Mortgages to be kept, and to be open for Inspection.

LX. And be it enacted, That a Register of such Mortgages or Assignments shall be kept by the Clerk of the Commissioners, and within Fourteen Days after the Date of any such Mortgage or Assignment an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in such Register; and such Register may be perused at all reasonable Times by any Person interested therein, without Fee or Reward.

Assignment of Mortgages.

LXI. And be it enacted, That from Time to Time any Party entitled to any such Mortgage or Assignment may transfer his Right and Interest therein to any other Person by Deed duly stamped, wherein the Consideration shall be truly stated; and any such Transfer may be according to the Form in Schedule (B.) to this Act annexed, or to the like Effect.

Register of Transfers to be kept.

LXII. And be it enacted, That within Thirty Days after the Date of every such Transfer it shall be produced to the Clerk of the Commissioners, and thereupon such Clerk shall cause an Entry or Memorial thereof to be made in the same Manner as in the Case of the original Mortgage or Assignment, and for such Entry the Clerk may demand a Sum not exceeding Five Shillings; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage or Assignment in all respects; and no Party having made such Transfer shall have Power to make void, release, or discharge the Mortgage or Assignment so transferred, or any Money thereby secured.

Interest on Mortgages to be paid half-yearly.

LXIII. And be it enacted, That, unless otherwise provided by any Mortgage or Assignment, the Interest of the Money borrowed upon every such Mortgage or Assignment shall be paid half-yearly to the several Parties entitled thereto.

Power to take up Money at a less Rate of Interest.

LXIV. And be it enacted, That if the Commissioners can at any Time borrow or take up any Sums of Money for any of the Purposes of this Act at a lower Rate of Interest than any Securities given by them, and which shall then be in force, shall bear, then from Time to Time it shall be lawful for them to borrow such Sums of Money as they shall think proper, at such lower Rate as aforesaid, in order to pay off and discharge the Securities bearing such higher Rate of Interest, and to charge the Rates or Assessments granted by this Act, or other Funds or Property vested in the Commissioners under this Act, or any Part thereof, with Payment of such Sums, and such lower Rate of Interest, in such Manner and subject to such Regulations as are herein contained with respect to other Monies borrowed on Mortgage.

Mode of paying off Mortgages.

LXV. And in order that no undue Preference may be given in paying off any Mortgages or Assignments, be it enacted, That when

when and as often as the Commissioners shall, under the Provisions of this Act, be enabled and think it expedient to pay off One or more out of the Number of such Mortgages upon which the same Rate of Interest shall be payable, or a Part of the Money secured on any such Mortgage, they shall cause the several Numbers of such Mortgages to be written upon distinct Slips of Paper of an equal Size, and all such Slips to be rolled or folded up in similar Form and put into a Box; and the Clerk to the Commissioners shall, in the Presence of Three or more of the Commissioners, draw separately out of the said Box one of the said Slips, and thereupon the Mortgage corresponding with the Number so drawn, or the Part of the Money due thereon so proposed to be paid off, shall accordingly be paid off by the Commissioners; and after every such Ballot the Commissioners shall cause a Notice, signed by their Clerk, to be given to the Person entitled to the Money to be paid off pursuant to such Ballot; and such Notice shall express the Principal Sum proposed to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Six Months from the Date of giving such Notice; and at the Expiration of such Period the Interest of the Principal Money to be paid off shall cease, unless such Principal Money and Interest be not paid, on demand, pursuant to such Notice, but such Principal Money, and the Interest thereof to the End of the said Six Months, shall nevertheless be payable on demand.

Commissioners may make Bye Laws to govern themselves and their Servants.

LXVI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to make such Bye Laws for regulating the carrying on of their Business, and the Business of their Committees, and for the Government of the Officers, Servants, or other Persons in their Employ, as they shall think fit, and to repeal or alter any such Bye Laws as they shall think fit, so as no such Bye Law be contrary to the Laws of *England* or the Provisions of this Act, and so as the same be reduced into Writing, and signed by Three or more of the Commissioners.

Fines for Breach of such Bye Laws.

LXVII. And be it enacted, That it shall be lawful for the Commissioners by such Bye Laws to impose such reasonable Forfeitures and Fines upon themselves, their Officers and Servants, or other Persons in their Employ, offending against the same, as they shall think fit, not exceeding Two Pounds for each Offence: Provided always, that such Bye Laws shall be so framed as to allow the Justices before whom any Penalty imposed thereby may be sought to be recovered to order the whole or a Part of such Penalty to be paid.

Service of Process on Commissioners.

LXVIII. And be it enacted, That any Summons, Notice, or Writ, or other Process at Law or in Equity, required to be served upon the Commissioners, may lawfully be served by delivering the same personally to the Clerk of the Commissioners, or to some Inmate at his usual Place of Abode, or by leaving the same at the Office of the Commissioners, or in case there be no Clerk, or his Place of Abode shall be unknown, then by delivering the same to any One Commissioner, or to some Inmate of the Place of Abode of any such Commissioner.

LXIX. And

Authentication of Notices.

LXIX. And be it enacted, That every Summons, Demand, or Notice, or other such Document under this Act, may be in Writing or Print, or partly in Writing or Print; and if the same require Authentication by the Commissioners, the Signature thereof by One of the Commissioners, or by the Clerk to the Commissioners, shall be sufficient Authentication.

Releases to Witnesses.

LXX. And be it enacted, That in all legal Proceedings under this Act it shall be lawful for any Three or more of the Commissioners, by Order of the Commissioners, to grant general or other Releases for the Purpose of qualifying any Person in the Service of the Commissioners to give Evidence as a Witness; and every such Release or Discharge shall be under the Hands and Seals of the Parties giving the same.

Commissioners empowered to make Improvements.

LXXI. And be enacted, That, subject to the Provisions contained in the Lands Clauses Consolidation Act, 1845, it shall be lawful for the Commissioners to enter upon and purchase the Property referred to in the Schedule (C.) to this Act for the Purpose of improving the Streets within the said Parish.

8 & 9 Vict. c. 18. incorporated with this Act.

LXXII. And be it enacted, That the Lands Clauses Consolidation Act, 1845, shall be incorporated with and form Part of this Act.

Limiting Time for purchasing Lands.

LXXIII. And be it enacted, That the Powers of the Commissioners for the compulsory Purchase or taking of Lands shall not be exercised after the Expiration of Seven Years from the passing of this Act.

Property not to be taken without Consent, unless specified in Schedule (C.)

LXXIV. And be it enacted, That the Commissioners shall not take for the Purposes of this Act any Lands or Property, except such as shall be specified in the Schedule (C.) to this Act, without the Consent of the Owners and Occupiers thereof, unless the Omission in such Schedule be certified, according to the Provisions herein-after contained, to have proceeded from Mistake.

Errors and Omissions to be corrected.

LXXV. And for the Purpose of making Provision for correcting any Omission, Mis-statement, or erroneous Description of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, referred to in the said Schedule (C.) hereto annexed, be it enacted, That the Correction of any such Matter may be referred by the Commissioners to the Determination of Two Justices; and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, and in what respect any such Matter shall have been mis-stated or erroneously described; and such Certificate shall be deposited with the Clerk of the Peace for the County of *Surrey*, and a Copy thereof with the Clerk to the Commissioners; and such Certificate and such Copy respectively shall be kept by such Clerk of the Peace and Clerk to the Commissioners respectively; and thereupon the Schedule (C.) to this Act shall be deemed to be corrected according to such Certificate, and it shall be lawful for the Commissioners to take any such Lands, and to execute the said Works, in accordance with such Certificate.

LXXVI. And

Commissioners may contribute towards improving Turnpike Roads.

LXXVI. And whereas the widening, altering, and improving the Turnpike Roads in the said Parish will be of great Benefit to the Inhabitants thereof; be it therefore enacted, That it shall be lawful for the Commissioners from Time to Time to contribute any Sum of Money to the Trustees for repairing and maintaining the said Turnpike Roads, for the Purpose of widening, altering, or otherwise improving the said Roads.

Commissioners may contribute towards Expence of Sewers.

LXXVII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to contribute any Sum of Money to any Person they may think proper, for the Purpose of having any existing Sewer or Drain arched over, or for the Purpose of forming any new Sewer or Drain within the said Parish.

Streets, &c. vested in Commissioners.

LXXVIII. And be it enacted, That the Management of all the present and future Streets within the said Parish, and the Foot Pavements and other Materials of all present and future Streets therein, except Turnpike Roads so long as they shall continue Turnpike, and all Lamps, Lamp Irons, Lamp Posts, Erections, or Buildings, Materials, Implements, and other Things provided by or belonging to any of the Commissioners for executing the said recited Acts hereby entirely repealed, or provided by the Commissioners for the Purposes of this Act, and also the Dust, Ashes, and Rubbish to be collected from the said Streets, are hereby vested in and shall be the Property of the Commissioners; and the Commissioners shall have full Powers to sell and dispose of, for the Purposes of this Act, any of the said Articles and Things as they shall think proper.

Commissioners to survey Streets, &c.

LXXIX. And whereas divers Streets have been made by the Owners, Lessees, or Occupiers of Land within the said Parish, which Streets such Owners, Lessees, or Occupiers are by Law liable to repair and keep in repair: And whereas many of the said Streets so made have been greatly neglected, and require to be paved or put into a proper State of Repair; be it therefore enacted, That the Commissioners shall and may from Time to Time inspect and survey all Streets within the said Parish, the Carriageways whereof may not have been heretofore paved or repaired by any Commissioners or other Persons having the Control of the Pavement of the Carriageways of such Streets by virtue of any local Act of Parliament, and all other Streets which may hereafter be made or formed in the said Parish; and in case it shall appear to the Commissioners that such Streets or any of them are not in sufficient Repair, it shall be lawful for the Commissioners or their Surveyor to cause a Notice under the Hand of such Surveyor to be given to or for the Owner, Lessee, or Occupier of all Lands adjoining to such Parts of the said Streets as shall not on such Survey be found in sufficient Repair as the Commissioners shall think expedient, and by such Notice to require such Owner, Lessee, or Occupier, as the Commissioners shall think expedient, to pave or to repave or otherwise to repair (as the Commissioners shall think expedient) the Foot and Carriage Ways or Foot or Carriage Ways (as the Case may be) abutting on the Lands belonging to or occupied by him in the Streets wherein or on one Side whereof any such Lands may be situated, or so much of the said Foot and Carriage Ways, or either

either of them, as the Commissioners shall direct, and also to make and form proper and sufficient Drains or Sewers for the proper Drainage of such Streets; and such Notice may be given to or left for such Owner, Lessee, or Occupier at his usual or last known Place of Abode.

If Owner does not pave in pursuance of Notice Commissioners may do so at his Expence.

LXXX. And be it enacted, That in case such Owner, Lessee, or Occupier, within Twenty-one Days after such Notice shall be given or left as aforesaid, shall not well and effectually pave or repave or repair all such Foot and Carriage Ways pursuant thereto, and make and form such Drains or Sewers as aforesaid, to the Satisfaction of the Commissioners or of their Surveyor, it shall be lawful for the Commissioners to direct such Foot or Carriage Ways to be paved or repaved or repaired with such Materials and in such Manner as they may direct, and to make and form such Sewers and Drains for the Drainage of such Street, and by such Person as they may appoint, at the Expence of the Owner, Lessee, or Occupier who shall not have paved or repaved or repaired or amended such Foot or Carriage Ways, and made and formed such Drains or Sewers, as the Commissioners shall have directed.

Charges and Expences, how to be ascertained and recovered.

LXXXI. And be it enacted, That the Charges and Expences of such paving or repaving or repairing as aforesaid, and making and forming such Drains and Sewers as aforesaid, shall be ascertained and determined by the said Surveyor, and shall be certified to such Owner, Lessee, or Occupier; and the Amount of such Charges and Expences, or such Portion thereof as the said Surveyor may apportion to each of such Owners, Lessees, or Occupiers in respect of the Lands belonging to or occupied by each of them respectively, and mentioned in such Certificate, shall be paid by such Owner, Lessee, or Occupier within Three Days after Delivery of such Certificate to the said Surveyor, or to such Person as he shall appoint, and whose Receipt shall be a good Discharge for the Monies in such Receipt acknowledged to have been by him received; and in case any such Owner, Lessee, or Occupier shall not pay such Charges and Expences, or such Part thereof, within the Time herein-before appointed, then and in every such Case he shall forfeit to the Commissioners double the Amount of the Charges and Expences so certified, and the same may be recovered in the same Manner as any Rates made by virtue of this Act may be recovered.

Commissioners may compound for paving new Streets.

LXXXII. Provided always, and be it enacted, That it shall be lawful for the Commissioners, if they shall think fit, to compound and agree with the Owner or Lessee or Occupier (such Occupiers not being Tenants at Rack Rent, nor Lessees for a Term of Years which shall not exceed Seven Years) of the Lands adjoining to such Parts of the said Streets within the said Parish as shall not on such Survey as aforesaid be found in sufficient Repair, for the paving, repaving, or repairing the Foot and Carriage Ways or Foot or Carriage Ways (as the Case may be) abutting on the Lands belonging to or occupied by such Owner, Lessee, or Occupier, and for making such Drains and Sewers as may be necessary for the Drainage of such Street, for such Sum as the Commissioners shall think fit; and it shall be lawful for

the Occupier of such Lands to pay to the Commissioners or their Surveyor the Composition Monies that shall be so agreed on, and which Composition Monies every such Occupier who shall be a Tenant at Rack Rent, or for a Term of Years not exceeding Seven Years, shall and is hereby authorized to deduct and retain out of his Rent, and the said Owner or Lessee is hereby required to allow such Deduction: Provided always, that nothing in this Act contained shall make void any Agreement between Landlord and Tenant, or any Demise or Lease or Agreement for the same.

Commissioners, upon Completion of Two Thirds of any Street, may, upon Application, require remaining One Third to be completed.

LXXXIII. And be it enacted, That if any Street already made or hereafter to be made shall hereafter, to the Extent of Two Third Parts thereof, be made, paved, or put in good Order to the Satisfaction of the Commissioners, then, on the Application of the Owner of the Lands abutting on such Parts of the said Street as shall have been so made, paved, or put in good Order as aforesaid, it shall be lawful for the Commissioners, by Writing under their Hands, to require the Owner of the Lands abutting on the Remainder of the said Street to make, pave, or put in good Order, to the Satisfaction of the Commissioners, such Remainder of the said Street, or such Portion or Portions thereof as shall be in front of such last-mentioned Lands, and to prescribe a reasonable Time for so doing; and if such Remainder of the said Street, or any such Portion thereof as aforesaid, shall not be made, paved, or put in good Order as aforesaid within the Time prescribed for so doing, it shall be lawful for the Commissioners to cause the same respectively to be done, and the Expences which shall be incurred by the Commissioners in respect thereof shall be repaid to them by the Owners by whom the same ought respectively to have been done.

Act not to extend to certain private Streets.

LXXXIV. And whereas there are within the said Parish certain Streets known as *Baalzephon Street*, *Elim Street*, and *Wilderness Street*, with several Courts or Passages leading out of the same, the Ground or Soil whereof is private Property, such Streets and Courts not having been dedicated to the Public, nor used as Thoroughfares, except by the Sufferance of the Owners or Owner thereof; be it enacted, That nothing in this Act contained shall extend or be deemed to prejudice or affect the free Exercise and Enjoyment of the Right of Ownership over the Ground or Soil of such Streets and Courts by the Owners or Owner thereof for the Purpose of building thereon, or for any other Purposes incidental to the Right of exclusive Ownership to which such Owners or Owner may be desirous of appropriating the said Ground or Soil: Provided always, that if the Owners or Owner of the said Streets and Courts shall allow the Commissioners to pave such Streets and Courts, or any Part thereof, under the Powers in this Act contained, and such Owners or Owner shall afterwards appropriate the Ground or Soil, the Surface of which shall have been so paved, for Purposes incompatible with the Use of such Surface as a Street or Passageway, then such Owners or Owner shall, before such Appropriation, give the Commissioners Three Calendar Months previous Notice in Writing of the Intention so to appropriate the said Streets and Courts, in order that the Commissioners may take up and remove the Pavement so laid down by them

them upon such Streets and Courts, or such Part thereof as it shall be intended to appropriate in manner aforesaid.

Future Streets to be declared Highways.

LXXXV. And be it enacted, That if any Street already made or partly made, or hereafter to be made or partly to be made, shall at any Time hereafter be made, paved, or put into good Order to the Satisfaction of the Commissioners, then on the Application of any Nine or more rated Inhabitants within the said Parish the Commissioners shall, by Writing under the Hands of Seven of the Commissioners, declare such Street to be a public Street, and after such Declaration the same shall be a public Street, and shall be for ever repaired and kept in repair in like Manner as other Streets within the said Parish.

Commissioners to cause Streets to be paved, &c.

LXXXVI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause all or any of the Streets within the said Parish, or any Part thereof, except Turnpike Roads so long as they shall continue Turnpike, to be repaired, formed, and paved, and the Ground or Soil to be raised, lowered, and altered, in such Manner and with such Materials as they shall think proper.

Penalty on Persons altering Pavement.

LXXXVII. And be it enacted, That if any Person shall take up or make any Alteration in the Pavement or Carriageway or Footway in any Street within the said Parish without the Consent in Writing of the Commissioners or their Surveyor, every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds; and in case the Person so taking up or altering such Pavement or Carriageway or Footway shall not, within Ten Days after Notice in Writing by the Surveyor to the Commissioners, cause the same to be reinstated as nearly as may be, the Commissioners shall cause the same to be done, and the Charges thereof shall be paid by the Person who shall have taken up or altered such Pavement or Carriageway or Footway.

Owner or Occupier to pave Footways, if required.

LXXXVIII. And be it enacted, That the Owner or Occupier of any House or Building abutting upon any Street within the said Parish, which shall not have been previously paved or repaired by any Persons having Jurisdiction over the Pavements, shall, if required by the Commissioners, pave or form, with Stones, or such Materials as the Commissioners shall prescribe, upon the Sides of such Street, for the whole Length of such House or Building, a Causeway or Footway for the Use of Foot Passengers to a Width not exceeding Six Feet.

Commissioners may pave Footways.

LXXXIX. And be it enacted, That it shall be lawful for the Commissioners to pave or make, improve and alter, with such Materials as they shall think fit, any Causeways or Footways for the Use of Foot Passengers in or on the Sides of any Street within the said Parish.

Footways to be kept in repair by the Commissioners.

XC. And be it enacted, That all Causeways or Footways within the said Parish, whether made by the Commissioners or otherwise, which the Commissioners shall deem necessary to be kept up, shall be kept in repair by the Commissioners.

XCI. And

No Building to be erected within certain Distances of Streets herein referred to.

XCI. And whereas in one of the said Acts passed in the said Fourth Year of the Reign of His said Majesty King *George* the Fourth, and in an Act therein recited, it was enacted, that no Building should be erected by any Proprietor or Occupier of the Land adjacent to the Roads or Streets by those Acts directed to be made and repaired, or other Person or Persons, within Ten Feet on either Side of the said Roads where the same are of the Width of Forty Feet or upwards, and within Thirty Feet from the Centre of the said Roads or Streets where the same are of less Width than Forty Feet; and if any such Building should be thereafter erected contrary to the true Intent and Meaning of the said Act the same should be deemed a common Nuisance; be it therefore enacted, That no Erection or Building shall be erected by any Proprietor or Occupier of Land adjacent to the said Roads or Streets mentioned in the said Acts, or by any other Person, within the Distance of Ten Feet on either Side of the same where the same is of the Width of Forty Feet or upwards, and within Thirty Feet from the Centre of such Roads or Streets where the same are of less Width than Forty Feet; and if any such Erection or Building shall be erected contrary to the true Intent and Meaning of this Act, such Proprietor or Occupier or other Person shall forfeit any Sum not exceeding the Sum of Ten Pounds, and any further Sum not exceeding the Sum of Twenty Shillings *per* Day for each Day such Erection or Building shall so continue.

The Commissioners may cleanse and deepen private Drains, &c. in case of Neglect by the Owners, &c.

XCII. And be it enacted, That it shall be lawful for the Commissioners to cause any of the present or future Gutters, Drains, or Watercourses running into, over, under, or through any Street within the said Parish to be cleansed, repaired, altered, or deepened, or to cause any new Gutters, Drains, or Watercourses to be made in, through, under, over, or adjoining to any such Street, for the Purpose of draining and taking away any sink-float or other refuse Water, and preventing the same from running over the Surface of such Street, in case the Owner or Occupier of the Lands adjoining the same shall neglect or refuse so to do for Ten Days after Notice in Writing, signed by the Clerk of the Commissioners, delivered to or left at the last or usual Place of Abode of such Owner or Occupier requiring him so to do; and the Costs and Charges of such Works so to be done shall be reimbursed to them by such Owner; and in case of Non-payment thereof within Ten Days next after Demand, the Costs and Charges attending the same shall be recovered from such Owner in like Manner as Penalties and Forfeitures are by this Act authorized to be recovered: Provided always, that nothing herein contained shall extend to affect or prejudice any Agreement made between any Owner or Occupier.

Rubbish and Soil occasioned by repairing Houses or Sewers to be removed by the Owners.

XCIII. And be it enacted, That all Rubbish, Earth, Dust, or Soil occasioned by erecting, repairing, amending, or altering any House or other Building in any Street within the said Parish shall be carried away, by or at the Charge of the Owner or Occupier of such House or Building, within the Space of Twelve Hours after the same shall be placed or laid in any Street; and all Rubbish, Soil, or Filth occasioned by repairing, casting, or cleansing any Drain or Sewer within the said Parish shall be carried away by the Person by whose Order or Direction

Direction such Sewer or Drain shall be cast or cleansed, if the same shall not be cast or cleansed by or under the Direction of the Commissioners of Sewers, or if the said Drain or Sewer shall be a public Drain or Sewer, or cleansed by or under the Direction of the said Commissioners of Sewers, then by or at the Charge of the said Commissioners of Sewers within the Space of Twenty-four Hours next after the same shall be placed or laid in any Street; and on Neglect thereof the Person by whose Order or Direction such Drain or Sewer shall be cast or cleansed, or the Surveyor to the said Commissioners of Sewers for the Time being, (as the Case may be,) shall forfeit any Sum not exceeding Five Shillings for every Hour the same shall remain after the Expiration of the said Twelve Hours or Twenty-four Hours, as the Case may be.

Owners and Occupiers of Lands adjoining Ditches to maintain proper Fences.

XCIV. And whereas there are within the said Parish several Millstreams and Ditches, and open or void Spaces of Ground, which, by reason of not being properly and sufficiently fenced, are the Occasion of frequent and serious Accidents; be it therefore enacted, That the Owner or Occupier of any such Millstreams or open or void Spaces of Ground, or the Owner or Occupier of the Lands adjoining such Ditches, shall and they are hereby required to cause proper and sufficient Fences or Hedges, of the Height of Four Feet and Six Inches at the least, to be erected on the Side of such Millstreams or Ditches next to any of the Streets within the said Parish, in such Manner as the said Commissioners shall think most expedient for the Prevention of Accidents; and such Fences or Hedges shall thenceforth be maintained, repaired, and renewed by the Owner or Occupier of such Millstreams or Grounds, or by the Owners and Occupiers of the Lands adjoining such Ditches; and if any such Owner or Occupier shall not, within Fourteen Days after Notice given to him for that Purpose by the Surveyor to the Commissioners, erect, or sufficiently maintain, repair, and renew, such Fences or Hedges, and support and maintain the Banks of such Millstreams and Ditches, and empty, cast, or cleanse the same, it shall be lawful for such Surveyor and he is hereby required to make Complaint thereof to some Justice, who shall thereupon summon such Owner or Occupier before him; and if it shall appear to such Justice that such Owner or Occupier has not erected, maintained, repaired, or renewed such Fences or Hedges and Banks, or emptied, cast, or cleansed such Millstreams or Ditches, pursuant to the Provisions of this Act, it shall be lawful for such Justice, upon hearing such Surveyor, and such Owner or Occupier, or upon the Nonappearance of such Owner or Occupier then upon due Proof of the Service of such Summons, and after inquiring into the Circumstances of the Case, to order and direct such Fences or Hedges to be erected, and such Banks to be maintained, repaired, or renewed, and the said Millstreams or Ditches to be emptied, cast, or cleansed, by such Owners and Occupiers as aforesaid; and if such Owner or Occupier shall not obey the Order of such Justice within Fourteen Days after Service of a Copy of such Order upon him he shall forfeit any Sum not exceeding Five Pounds for every such Offence, and the said Surveyor shall and he is hereby authorized and required to erect, maintain, repair, or renew such Fences or Hedges and Banks, and empty, cast, or cleanse such Millstream or Ditches, in the Manner

directed by the Order of such Justice; and such Owner or Occupier so making default shall be charged with and shall pay, over and above the said Penalty, all the Costs, Charges, and Expences of erecting, maintaining, repairing, or renewing such Hedges or Fences and Banks, and emptying, casting, and cleansing such Millstreams or Ditches; and in default of Payment thereof, on demand, such Costs, Charges, and Expences, and such Penalty, shall be levied and recovered in the same Manner as other Penalties and Forfeitures are directed to be levied and recovered; and the Money so levied and recovered shall be paid to the Treasurer of the Commissioners, to be applied to the Purposes of this Act: Provided always, that nothing herein contained shall extend to effect or prejudice any Agreement made between any Owner or Occupier.

For removing the Soil at any Time cast out of St. Saviour's Millpond within Three Days.

XCV. And be it enacted, That the Owner or Occupier for the Time being of all Millstreams or Ditches within the said Parish shall and he is hereby required to cause to be taken and carried away all such Soil, Mud, or Dirt as shall at any Time hereafter be thrown or cast out of such Millponds, Millstreams, or Ditches into any of the said Streets, within the Space of Three Days next after the same shall be so thrown or cast out, under a Penalty of Five Pounds for every such Offence.

Power to repair certain Bridges over the Millpond.

XCVI. And be it enacted, That it shall be lawful for the Commissioners, when and as often as they shall think it necessary, to repair, amend, widen, and enlarge, or rebuild the several Bridges in and over the Millpond in the said Parish, called the *Folly Bridge*, *London Street Bridge*, the Bridge at the West End of *Jacob Street*, and the Bridge at the East End of the same Street, in such Manner as they shall think proper.

Prohibiting the Erection of Bridges, &c. across the Streets without Consent.

XCVII. And be it enacted, That it shall not be lawful for any Person to erect or make across any Street in the said Parish any Bridge or other Communication so as to connect the Buildings on one Side of any such Street with the Buildings on the other Side thereof, without the Consent of the Commissioners in Writing under the Hand of their Clerk for the Time being; and every such Bridge or Communication shall be erected and made, and be from Time to Time repaired, at the Expence of the Owner thereof, according to the Directions and to the Satisfaction of the Commissioners and of their Surveyor for the Time being, who shall from Time to Time and at all Times have for that Purpose free Access thereto; and if any Person shall erect or make any such Bridge or Communication without such Consent as aforesaid, or shall erect or make the same contrary to the Directions of the Commissioners or their Surveyor, or shall at any Time prevent the Commissioners or their Surveyor, or any other Person appointed by them, from inspecting and examining the same, or if any Owner or Occupier of any Premises on or against which any such Bridge or Communication shall be erected or made shall not, when thereunto required by the Commissioners, by Notice under the Hand of their Clerk or Surveyor for the Time being to be left on the Premises, remove, alter, repair, or amend the same within such Time and in such Manner as in such Notice shall be expressed, every such Owner and Occupier shall forfeit the Sum of Ten Pounds for every such

such Offence, and also any Sum not exceeding the further Sum of Forty Shillings for every Day during which such Bridge or Communication shall remain without the Consent of the Commissioners, or during which the same shall be continued or shall remain without Alteration, Repair, or Amendment after such Notice.

Commissioners may remove any such Bridge or Communication.

XCVIII. And be it enacted, That it shall be lawful for the Commissioners to cause every such Bridge or Communication erected or made without their Consent, or continued contrary to their Directions, to be removed or taken down, or to be altered, repaired, or amended, as they shall think proper; and all the Costs and Expences of and attending such Removal, Alteration, Reparation, or Amendment shall be paid by the Owner or Occupier of the Building against or upon which such Bridge or Communication shall be placed or continued, and shall be recovered in the same Manner as Penalties and Forfeitures are directed to be recovered: Provided always, that nothing in this Act contained shall authorize the Commissioners to remove or interfere with any Bridge or other Communication which at the Time of the Commencement of this Act shall be erected or made across or over any Street within the said Parish, except so far only as relates to the necessary Repairs or Support or any Alteration in the Form of such Bridge or other Communication: Provided also, that nothing herein contained shall extend to affect or prejudice any Agreement made between any Owner or Occupier.

Commissioners may place Fences to Footways.

XCIX. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to place such Fences and Posts on the Side of any Footways or Carriageways within the Parish as may protect such Footways from any Carriage or Animals going on the same, and also to place any Posts in any Carriageways so as to make the Crossings thereof less dangerous for Foot Passengers, and also from Time to Time to repair any such Fences or Posts, or to remove the same, or any other Obstructions to any Carriageway or Footway within the said Parish, as they shall think fit.

Power to stop up Streets under Repair.

C. And be it enacted, That it shall be lawful for the Commissioners, during such Time as any Street shall be under repair, or during the making or repairing of any Sewer or Drain therein, to order the necessary Materials to be lodged in that or any adjoining Street within the said Parish, and to cause Bars, Posts, Rails, and Chains, or other Obstructions, to be fixed, set up, and placed across or in any of the said Streets to prevent the Passage of Carriages, Horses, and Cattle while such Works or Repairs are in progress.

Power to purchase or hire Land for providing an Office and for depositing Materials.

CI. And be it enacted, That it shall be lawful for the Commissioners to purchase, lease, or rent any Land, Building, or Premises for providing an Office for the Commissioners, and to build an Office thereon, and also for procuring or depositing Stone, Gravel, or other Materials for the several Purposes of this Act, from any Person willing to sell or let the same.

Houses to be numbered

CII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause the Houses and Buildings in the Streets

Streets within the said Parish to be numbered, and to cause to be affixed or painted in a conspicuous Part of some House, Building, or Place, at or near each End, Corner, or Entrance of every such Street, the Name by which such Street is to be known; and if any Person shall destroy, pull down, or deface any such Number or Name, or shall put up any Number or Name different from the Number or Name put up by the Commissioners, he shall forfeit a Sum not exceeding Forty Shillings for every such Offence.

and Streets named.

CIII. And be it enacted, That if the Commissioners shall consider any Porch, projecting Window, Step, Cellar, Cellar Door or Window, Sign, Sign Post, Sign Iron, Showboard, Window Shutter, Wall, Gate, Post, Rail, or Fence, or any other Obstruction or Projection, hereafter to be placed against or in front of any House or Building, to be an Annoyance in consequence of the same projecting into, endangering, or rendering less commodious the Passage along any Street within the said Parish, it shall be lawful for them to give Notice in Writing to the Owner and Occupier of such House or Building, by leaving the same at such House or Building, to remove such Obstruction or Projection, or to alter the same in such Manner as the Commissioners shall think fit; and such Owner or Occupier shall, at his own Expence, within Thirty Days after the Service of such Notice upon him, remove such Obstruction or Projection, or alter the same in such Manner as shall have been directed by the Commissioners.

Future Projections to be removed on Notice.

CIV. And with regard to all Obstructions or Projections of a like Kind as those before mentioned which have been erected or placed against or in front of any House in any Street or public Place before the Commencement of this Act, be it enacted, That it shall be lawful for the Commissioners, if they shall consider any such Obstruction or Projection to be an Annoyance in consequence of the same projecting into, endangering, or rendering less commodious the Passage along any Street within the said Parish, to cause the same to be removed or altered as they shall think fit: Provided always, that the Commissioners shall give Notice in Writing of such intended Removal or Alteration to the Owner and Occupier against or in front of whose House or Building such Obstruction or Projection shall be Twenty Days before such Alteration or Removal shall be commenced, and shall make reasonable Compensation to every Person who shall incur any Loss or Damage by such Removal or Alteration, such Compensation to be settled, if necessary, by Two Justices, not being Commissioners.

Existing Projections to be removed, and Compensation made.

CV. And be it enacted, That all Doors, Gates, and Bars, not being underground Doors, hereafter to be erected within the said Parish, leading to any House, Building, Yard, or Land, and which shall open upon or towards any public Street, shall be constructed so as to open into or towards such House, Building, Yard, or Land; and if any such Door, Gate, or Bar shall be constructed so as to open in any other Manner, it shall be lawful for the Commissioners or their Surveyor to alter the same; and the Expences of such Alteration shall be paid to the Commissioners by the Person who shall have caused such Door,

Doors in future to be made to open inwards.

Gate, or Bar to be constructed; and such Person shall, in addition, be liable to a Penalty not exceeding Forty Shillings.

Doors opening outwards to be altered by Commissioners.

CVI. And be it enacted, That if any such Door, Gate, or Bar already erected shall have been so constructed as to open outwards towards or upon any public Street, it shall be lawful for the Commissioners to alter the same, so that no Part thereof opening or when open shall project over any public Way.

Where Houses are taken down, Commissioners may take Land to improve the Streets.

CVII. And be it enacted, That where any House or Building in or near any Street within the said Parish shall be burnt or pulled down as low as the Breastsummer or First Floor, or shall be intended to be rebuilt, and the Commissioners shall be desirous of widening such Street, or of making any Alteration in the Line of the House or Building, it shall be lawful for them to purchase and take any Part of the Site of such House or Building, or of the Land occupied therewith, in the same Manner as they are authorized to purchase and take any Land described in Schedule (C.) to this Act; and all Powers and Provisions with reference to the Purchase of the Land mentioned in the said Schedule to this Act, and for ascertaining the Value thereof, and any Damage sustained by the Person interested therein, and for the Payment and Investment of the Purchase Monies, and for the Payment of the Expences attending the Purchase of any such Land by the Commissioners, shall be applicable to any such House or Building, and the Land occupied therewith, in the same Manner as if such House or Building and Land had been described in the said Schedule: Provided always, that the Commissioners shall have Power to take or purchase any Part of the Site of such House or Building, or the Land occupied therewith, without the Consent of the Parties interested therein, although the Time limited by this Act for the compulsory Purchase of Land may have expired.

Projecting Houses when taken down to be set back.

CVIII. And be it enacted, That when any House or Building, any Part of which now projects beyond the regular Line of the Street, or beyond the Front of the Houses or Buildings on either Side thereof, in any Street within the said Parish, shall be taken down as low as the Breastsummer or First Floor to be rebuilt or altered, the same shall be set back to the Line of the Street, or the Line of the adjoining House or Building, in such Manner as the Commissioners shall direct, for the Improvement of such Street; and when the next House or Building shall not adjoin the House or Building to be so taken down, but shall be separated therefrom, then the same shall be set back to the Line of such Street: Provided always, that the Commissioners shall make full Compensation to any such Owner for any Loss or Damage he may sustain in consequence of his House being set back according to the Provisions herein contained.

Houses built contrary to the Act to be taken down.

CIX. And be it enacted, That it shall be lawful for the Commissioners, after Notice given in manner aforesaid to the Owner of any House or Building which shall be rebuilt or erected contrary to the Provisions of this Act, to cause the same to be taken down or regulated according to the Provisions of this Act; and the Expences of such

Alteration

Alteration shall be repaid to the Commissioners by the Owner of the House or Building so altered or rebuilt.

Houses may be set forward.

CX. And be it enacted, That it shall be lawful for the Commissioners to allow any Building to be advanced for the Purpose of improving the Line of the Street or Place in which such Building may be situate, or any Building adjacent thereto.

Water-spouts to be affixed.

CXI. And be it enacted, That the Owner or Occupier of every House or Building in or adjoining any Street within the said Parish shall, within Seven Days next after Service of any Order of the Commissioners for that Purpose, put up, and for ever afterwards keep in good Condition, a Shute or Trough of the whole Length of such House or Building, with a Pipe or Trunk to be fixed in the Front or Side of such Building from the Roof to the Ground, to carry off the Water from the Roof thereof, in such Manner that the Water from such House shall not fall upon the Persons passing near the same.

Underground Drains to be formed.

CXII. And be it enacted, That the Owner or Occupier of any House or Building in any Street within the said Parish shall cause the Water to be conveyed from such House or Building either by Drains or Tunnels below the Surface of the Pavement or Flagging of the Footpath, or by means of Iron Drain Gutters to be fixed in the Flagging or Pavement; and for that Purpose it shall be lawful for any such Owner or Occupier, under the Direction of the Commissioners or their Surveyor, to take up so much of the Pavement or Flagging of any Street as may be requisite, and to lay down the said Drains or Tunnels, or fix the said Iron Drain Gutters; and all Damage which may thereby be occasioned to the Pavement or Flagging of the Footpath or Carriageway shall be made good at the Expence of such Owner or Occupier.

Vaults and Drains to be substantially made.

CXIII. And be it enacted, That all Vaults and Drains hereafter to be made under any Street within the said Parish shall be substantially made to the Satisfaction of the Commissioners; and if any such Vault or Drain shall be made contrary thereto, it shall be lawful for the Commissioners to fill up the same, and to recover the Expences incurred thereby from the Person making such Vault or Drain.

Vaults and Drains to be kept in repair.

CXIV. And be it enacted, That all Vaults or Drains under any Street within the said Parish shall be kept in substantial Repair to the Satisfaction of the Commissioners; and in case any such Vault or Drain shall at any Time not be in such substantial Repair it shall be lawful for the Commissioners to put the same into substantial Repair, and to recover the Expences incurred thereby from the Occupier thereof; and such Occupier shall forfeit a Sum not exceeding Twenty Shillings for every Day such Vault or Drain shall continue out of substantial Repair after Notice shall have been given him by the Commissioners to repair the same, and a reasonable Time for completing such Repair shall have elapsed since the Service of such Notice.

Coveringsfor Cellar Doors to be made.

CXV. And be it enacted, That when any Opening is now or shall hereafter be made in the Paving or Soil of any Pavement or Footpath within

within the said Parish as an Entrance into any Vault or Cellar, a Door or Covering shall be made by the Occupier of such Vault or Cellar, of Iron, or such other Material and in such Manner as the Commissioners shall direct; and such Door or Covering shall from Time to Time be kept in good Repair by the Occupier of such Vault or Cellar; and if the Occupier of any such Vault or Cellar shall not within a reasonable Time make such Door or Covering, or shall make any such Door or Covering contrary to the Directions of the Commissioners, or shall not keep the same, when made, in good Repair, he shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Hoards to be set up during Repairs.

CXVI. And be it enacted, That every Person who shall build or take down any House or other Building whatever within the said Parish, or cause the same to be so done, or who shall alter or repair the outward or external Part of any House or other such Building, or cause the same to be so done, shall, where any Street or Footway shall be obstructed or rendered inconvenient by means of such Work, cause to be erected before commencing the same sufficient Hoards or Fences in order to guard every such House or Building from the Street in which the same may be situate, together with a convenient Platform and Handrail, if there shall be sufficient Space for the same, to serve as a Footway for Passengers outside of such Hoard or Fence, and shall continue such Hoard or Fence, with such Platform and Handrail as aforesaid, standing and in good Condition during such Time as may be necessary for the public Safety or Convenience, and shall, in all Cases in which the same will be necessary to prevent Accidents, light or cause the same to be sufficiently lighted during the Night; and if any such Person shall refuse or neglect to erect any such Fence or Hoard or Platform, with such Handrail as aforesaid, or to continue the same respectively standing and in good Condition during the Time aforesaid, or shall not whilst the said Hoard or Fence is standing keep the same sufficiently lighted in the Night, or shall not remove the same when directed by the Commissioners within a reasonable Time afterwards, then every Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds.

Penalty for not lighting Deposits of Building Materials or Excavations, and fencing same.

CXVII. And be it enacted, That when any Building Materials, Rubbish, or other Things shall be laid, or any Hole or Excavation shall be made, in any of the Streets within the said Parish, the Person causing such Materials or other Things to be so laid, or the said Hole or Excavation to be made, shall, at his own Expence, cause a sufficient Light to be fixed in a proper Place upon or near the same, and continue such Light every Night from Sun-setting to Sun-rising during the Time such Materials, Hole, or Excavation shall remain; and such Person shall, at his own Expence, cause such Materials or other Things, and such Hole or Excavation, to be sufficiently fenced and inclosed until such Materials or other Things shall be removed, or such Hole or Excavation filled up or otherwise made secure; and in case such Person shall refuse or neglect so to light, fence, or inclose such Materials or other Things, or such Hole or Excavation, every Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds.

CXVIII. Pro-

Penalty for continuing Deposits of Building Materials or Excavations an unreasonable Time.

CXVIII. Provided always, and be it enacted, That in no Case shall any such Building Materials or other Things, or such Hole or Excavation, be permitted to remain for an unnecessary Time, under a Penalty not exceeding Five Pounds, to be paid for every such Offence by the Person causing such Materials or other Things to be laid, or such Hole or Excavation to be made; and in any such Case Proof of the Necessity for a Continuance thereof respectively shall be upon the Person so causing such Materials or other Things to be laid, or causing such Hole or Excavation to be made.

Dangerous Places to be repaired or inclosed.

CXIX. And be it enacted, That if any Building or Excavation or any Land or Place contiguous to any Street within the said Parish shall, for Want of sufficient Repair, Protection, or Inclosure, be dangerous to the Passengers along such Street, it shall be lawful for the Commissioners to cause the same to be repaired, protected, or inclosed so as to prevent any Danger therefrom; and the Charges of such Repair, Protection, or Inclosure shall be repaid to the Commissioners by the Owner, Lessee, or Occupier of the Premises so repaired, protected, or inclosed.

In default of the Party liable, the Commissioners to execute the Works, and recover the Expence incurred thereby.

CXX. And whereas many Works, Acts, and Things are required by this Act to be done by the Owners and Occupiers of Houses, Buildings, or Land, and other Persons, for the Improvement of the Streets within the said Parish, and for other Purposes herein-before mentioned, and it is necessary to provide for the Execution of all such Works, Acts, or Things in case the same shall not be done by the Persons required to do the same; be it enacted, That wherever any such Work, Act, or Thing shall not be done by the Owner, Lessee, or Occupier, or other Person required to do the same by the Provisions of this Act, in the Manner or at the Time prescribed by this Act, or by any Notice given by the Commissioners for that Purpose in pursuance of this Act, or, if no Time shall be prescribed, within a reasonable Time, it shall be lawful for the Commissioners to cause such Work, Act, or Thing to be done; and the Expences which shall be incurred by the Commissioners in respect of such Work, Act, or Thing shall be repaid to them by the Owner, Lessee, or Occupier, or other Person by whom the same ought to have been done.

Occupiers to recover against Owners in certain Cases.

CXXI. And be it enacted, That in all Cases where any such Work, Act, or Thing is required by this Act to be done by the Owner, Lessee, or Occupier of any House, Building, or Land (without designating by which of the said Parties the same ought to be done), and the Occupier of such House, Building, or Land shall be the Tenant of the same at a Rent amounting to or exceeding Three Fourths of the net annual Value thereof, the Expences which shall be incurred by or recovered from the Occupier in respect of such Work, Act, or Thing shall be repaid to such Occupier by the Lessee or Owner of the House, Building, or Land; and the Lessee or Owner shall allow such Occupier the Amount of all such Expences out of the Rent from Time to Time becoming due to him as if the same had been actually paid to him as Part of such Rent.

Adjustment between Owners and Occupiers.

CXXII. And be it enacted, That in all Cases (except as hereinbefore mentioned) where any Work, Act, or Thing is required by this Act to be done by the Owner, Lessee, or Occupier of any House, Building, or Land (without designating as aforesaid), the Expences which shall be incurred by or be recovered from any such Owner, Lessee, or Occupier in respect of such Work, Act, or Thing shall be divided between the Owner, Lessee, and Occupier in the Proportion of the Value of their respective Interest in such House, Building, or Land; and in estimating the Value of such Interests the Owner shall be deemed to be entitled to such House, Building, or Land in Fee Simple, subject only to the Term or Interest of the Lessee or Occupier therein; and if any such Owner, Lessee, and Occupier shall voluntarily or by Compulsion pay more than his Share of the Expences, estimated as aforesaid, of any such Work, Act, or Thing, the Excess shall be repaid to him by the Occupier, Lessee, or Owner in Shares proportionate to their respective Interests in such House, Building, or Land, as the Case may be; and if the same be not so paid, on demand, or if the Amount of the same shall be disputed, such Excess shall be ascertained and recovered in the same Manner as any Damages for the ascertaining and Recovery of which no special Provision is contained in this Act are directed to be ascertained and recovered; and if such Excess shall be payable by the Owner or Lessee he shall allow the same, or so much thereof as shall not be repaid by him, to the Occupier, out of the Rent from Time to Time due or becoming due to him, as if the same had been actually paid to him as Part of such Rent.

Defining who is to be considered Owner.

CXXIII. Provided always, and be it enacted, That no Lessor or other Owner in reversion of any Property in the said Parish who shall not be in receipt of the Rack Rent derived from such Property, and whose Right to receive such Rack Rent shall not accrue for a Period of Twenty-one Years or upwards, shall, so long as the Right of such Owner to receive the Rack Rent of such Property shall be postponed to a Period of more than Twenty-one Years, be subject to any of the compulsory Provisions of this Act in respect of his Ownership of such Property; but the Lessee or other Tenant or Possessor of such Property whose Estate shall immediately precede the reversionary Estate of such Lessor or other Owner shall for all the Purposes of this Act be deemed the Owner of such Property, excepting in the Case of any Provisions which may interfere with or affect the Interest of such Lessor or other Owner in reversion.

Streets to be cleansed and watered.

CXXIV. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause all or any of the Streets within the said Parish to be cleansed and watered, and the Dirt, Ashes, and Rubbish, except any such as shall be reserved by the Occupiers for their own Use, to be removed from any House or Premises within the said Parish, at such Time and in such Manner as they shall appoint.

Occupiers allowed to use their own Ashes, &c.

CXXV. Provided always, and be it enacted, That it shall be lawful for any Occupier of any House or Premises within the said Parish to keep and remove any such Dirt, Ashes, or Rubbish as shall be made

on his own Premises, and shall be reserved for Manure, so as the same be not a Nuisance to the Inhabitants residing near such Premises.

Duties of the Street Scavengers to be performed under Penalties.

CXXVI. And be it enacted, That the Persons employed by or contracting from Time to Time with the Commissioners for cleansing the Streets within the said Parish, or any of them, or for removing the Dirt, Ashes, and Rubbish from any House or Premises therein, shall be called the Scavengers; and such Scavengers or their Servants shall, on such Days and at such Hours and in such Manner as the Commissioners shall from Time to Time appoint, collect together all Dirt, Ashes, and Rubbish from all such Streets and Houses and Premises from which they shall contract or be employed to collect Dirt, Ashes, and Rubbish within the said Parish, except such Dirt, Ashes, and Rubbish as shall be kept by the Occupiers of such Houses and Premises for their own Use under the Provisions herein contained, and shall carry away the Dirt, Ashes, and Rubbish so collected; and if any such Scavenger fail to remove any Dirt, Ashes, or Rubbish which he shall contract or be employed to remove, at the Time or in the Manner prescribed by the Commissioners for that Purpose, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty on Occupiers obstructing Scavengers.

CXXVII. And be it enacted, That every Occupier of a House or other Building within the said Parish shall forfeit any Sum not exceeding Forty Shillings for every Time he shall prevent any Scavenger or his Servants from removing any Dirt, Ashes, or Rubbish which such Scavenger is hereby authorized to remove from his House or Premises.

Penalty on other Persons than Scavengers removing Dirt.

CXXVIII. And be it enacted, That if any Person, other than the Scavenger for the Time being, or some Person employed by him, shall collect or carry away any Dirt, Ashes, or Filth from any Street within the said Parish, or from any House or Building therein, except as aforesaid, he shall forfeit for every such Offence a Sum not exceeding Forty Shillings.

Occupiers to cause Footways to be swept.

CXXIX. And be it enacted, That the respective Occupiers of Buildings, Yards, and Lands within or adjoining the Streets within the said Parish shall once in every Day, *Sundays* excepted, before Ten of the Clock in the Forenoon of each Day, cause to be swept and cleansed the Footways and Pavements in front or at the Side of their respective Buildings, Yards, and Lands; and every such Occupier making default herein shall for every such Offence forfeit a Sum not exceeding Five Shillings: Provided always, that for the Purpose aforesaid the Owner of any House let out into divided Apartments shall be deemed the Occupier.

Commissioners may compound for sweeping Footways.

CXXX. And be it enacted, That it shall be lawful for the Commissioners to compound, for such Time as they may think fit, with any Person liable to sweep or clean any Footway under the Provisions of this Act, for sweeping and cleaning the same in the Manner by this Act directed.

CXXXI. And

Commissioners may cause Footways to be swept;

CXXXI. And be it enacted, That it shall be lawful for the Commissioners to cause any Footway within the said Parish to be swept or cleansed in such Manner and at such Times as they shall think fit.

and may order Nuisances to be abated.

CXXXII. And be it enacted, That if any Foundry, Candle-house, Melting-house, Melting-place, or Soap-house hereafter to be erected or made, or any Lead Manufactory or Smelting-house, Horse-boiling House, or Place for boiling or crushing Bones, Slaughter-house, Boiling-house for Offal, Hogsty, uninclosed or uncovered Yard or Place for the Deposit or sifting of Lime, Necessary-house, Dung-hill, Manure Heap, or other offensive Building, Place, or Matter, in or near any Street within the said Parish, shall be a Nuisance to any Inhabitant, it shall be lawful for the Commissioners, upon Complaint made by any Inhabitant, to inquire into the Matter of such Complaint; and if the Commissioners shall consider such Building, Place, or Matter of which such Complaint shall be made to be a Nuisance, it shall be lawful for them, by Notice in Writing, to order the Person by or on whose Behalf such Nuisance is carried on, kept, or made to discontinue or remedy the same.

Penalty for Disobedience of Commissioners Order.

CXXXIII. And be it enacted, That if such Nuisance as aforesaid shall not be discontinued or remedied within Seven Days after the Service of such Notice, the Person by whom or on whose Behalf such Nuisance is carried on, kept, or made shall be liable to a Penalty not exceeding Five Pounds for every Day during which such Nuisance shall be continued or unremedied after the Expiration of Seven Days from the Service of the said Notice: Provided always, that when any Person who shall think himself aggrieved by any Order of the Commissioners shall, according to the Provisions contained in this Act, appeal against such Order, such Person shall not be liable to discontinue or remedy the Nuisance mentioned therein, or to pay any Penalty, until after the Expiration of Seven Days after the Determination of such Appeal, and the Confirmation of the Order of the Commissioners, unless such Appeal shall cease to be prosecuted.

Penalty for suffering Dogs to go at large after Notice.

CXXXIV. And be it enacted, That if any Person shall, after public Notice given by any Justice directing Dogs to be confined on account of Suspicion of Canine Madness, suffer any Dog to be at large within the said Parish during the Time specified in such Notice, every Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds.

Dogs suspected to be mad may be destroyed.

CXXXV. And be it enacted, That it shall be lawful for any Constable or other Officer appointed by virtue of this Act to destroy any Dog or other Animal within the said Parish reasonably suspected to be in a rabid State.

Penalty for suffering mad Dogs to be at large.

CXXXVI. And be it enacted, That the Owner of any such Dog or Animal who shall permit the same to go at large within the said Parish after having Information or reasonable Ground for believing it to be in a rabid State, or to have been bitten by any Dog or other Animal in a rabid State, shall be liable to a Penalty not exceeding Five Pounds.

CXXXVII. And

Power to impound stray Cattle.

CXXXVII. And be it enacted, That if any Horse, Cattle, or other Animal shall at any Time be found at large in any of the Streets within the said Parish without any Person therewith claiming the same, it shall be lawful for any Constable or Officer of Police, or for any of the Inhabitants or Persons residing within the said Parish, to seize and impound any such Horse, Cattle, or Animal in the common Pound, or in such other Pound or Place as the Commissioners shall provide for that Purpose, and to detain the same therein until the Owner thereof shall for each Animal so impounded pay a Sum of Money not exceeding Five Shillings to the Commissioners, and also the Sum of One Shilling to the Person impounding the same, besides the reasonable Expences of impounding and keeping the same.

Power to sell stray Cattle for Penalty and Expences.

CXXXVIII. And be it enacted, That if the said Sums and Expences shall not be paid Five Days after such impounding, it shall be lawful for the Pound-keeper, or such other Person as shall be appointed by the Commissioners, to sell or cause to be sold any such Animal; and the Money arising from such Sale, after deducting the said Sums and the Expences aforesaid, and such other Expences as may attend the keeping and Sale of any such Animal so impounded, shall be paid to the Commissioners, to be by them paid to the Person whose Property the Animal so sold shall appear to have been, and which Money the Commissioners are hereby required to pay, on demand.

Persons guilty of Pound-breach or Rescue of Distress to be committed for Three Months.

CXXXIX. And be it enacted, That in case any Person shall release or attempt to release from the Pound or Place where the same shall be impounded any Horse, Cattle, or Animal which shall be seized for the Purpose of being impounded under the Authority of this Act, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release, or attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until such Horse, Cattle, or Animal seized or impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any Magistrate of the Metropolitan Police Courts, be committed by him to some Common Gaol or House of Correction, there to remain without Bail for any Time not exceeding Three Months.

Power to provide a Pound.

CXL. And be it enacted, That it shall be lawful for the Commissioners to purchase a Piece of Land within the said Parish, for the Purpose of a Pound for stray Animals, from any Person willing to sell the same, and to erect a Pound thereon; and such Pound when made shall be kept in repair by the Commissioners, and appropriated by them for ever as a Pound for the Use of the Inhabitants within the said Parish.

Penalty for conveying offensive Matter at improper Times.

CXLI. And be it enacted, That every Person who, within the said Parish, shall empty or begin to empty any Privy between the Hours of Six in the Morning and Twelve at Night, or remove along any Thoroughfare any Nightsoil, Soap Lees, Ammoniacal Liquor, or other offensive Matter between the Hours of Six in the Morning and Eight in

in the Evening, or who shall at any Time use for any such Purpose any Cart or Carriage not having a proper Covering, or who shall wilfully or carelessly slop or spill any such offensive Matter in the Removal thereof, or who shall not carefully sweep and clean every Place in which any such offensive Matter shall have been placed, slopped, or spilled, shall forfeit any Sum not exceeding Forty Shillings; and, in default of the Apprehension of the actual Offender, the Owner of the Cart or Carriage employed for any such Purpose shall be deemed to be the Offender.

Penalty on Blacksmiths not shutting out the Light of their Forges from Streets after Sunset.

CXLII. And be it enacted, That if any Blacksmith, Whitesmith, Anchorsmith, Nailmaker, or other Person using a Forge, and having a Door, Window, or Aperture fronting or opening into or towards any Street within the said Parish, shall not close such Door, or fasten the Shutters or other Fastenings of such Windows, and close such Aperture, every Evening within One Half Hour after Sunset, so as effectually to prevent the Light from shining through the Doorway, Window, or Aperture into or upon such Street, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

Penalty for setting Chimnies on fire.

CXLIII. And be it enacted, That if any Person shall wilfully set or cause to be set on fire any Chimney within the said Parish he shall for every such Offence forfeit a Sum not exceeding Five Pounds: Provided that nothing herein contained shall extend to any Case in which the Person so setting or causing to be set on fire any Chimney shall be liable to be indicted for Felony.

Penalty for having Chimney on fire.

CXLIV. And be it enacted, That if the Chimney of any Person shall catch or be on fire within the said Parish, every Person (being the Party occupying or using such Chimney) shall, so often as the same shall occur, forfeit a Sum not exceeding Ten Shillings: Provided always, that such Forfeiture shall not be incurred if such Person shall prove to the Satisfaction of a Justice that such Fire was in nowise owing to Omission, Neglect, Carelessness, or Fault of himself or Servant.

Forty Shillings Penalty for certain Offences.

CXLV. And be it enacted, That every Person shall be liable to a Penalty of not more than Forty Shillings who in any Street or public Place within the said Parish shall commit any of the following Offences; (that is to say,)

Who shall drive any Horse or other Animal drawing any Waggon, Dray, Stone Cart, Dung Cart, Coal Cart, or other heavy Carriage not on Springs, at any faster Rate than a common Walk:

Who shall draw any Timber, Stone, or other weighty Articles without the same being placed upon or suspended from a wheeled Carriage proper for that Purpose:

Who shall cause any Tree or Timber to be drawn in or upon any Timber Carriage without having to guide and direct such Carriage a Person who shall not be under the Age of Eighteen Years, and who shall be of sufficient Strength to guide and direct the same by means of a Rope or Chain attached to the Steerer thereof:

Who shall place or leave any Furniture, Goods, Wares, or Merchandize, or any Cask, Tub, Basket, Pail, or Bucket, or place or use any Standing Place, Stool, Bench, Stall, or Showboard, on any Footway; or shall place any Blind, Shade, Covering, or Awning over or along any such Footway, unless such Blind, Shade, Covering, or Awning shall be Eight Feet in Height at least in every Part thereof from the Surface of such Footway, and the Supports of which Awning shall extend to the Curbstone of such Footway:

Who shall sell or cause to be sold by Auction, Outcry, or otherwise, any Goods, Articles, or Things whatsoever:

Who shall carry any Timber or Log of Wood or Bar of Iron upon any Footpath (except for the Purpose of loading or unloading any Cart or Carriage, or crossing the Footway):

Who shall carry or convey, or cause to be carried or conveyed, the Carcass or any Part of the Carcass of any newly slaughtered Horse or other Animal without a sufficient Cloth Covering to the same:

Who shall wilfully and indecently expose his Person:

Who shall fix or place any Flower Pot or Box in any upper Window without sufficiently guarding the same against being blown or thrown down:

Who shall throw or cast from the Roof or any Part of any House or other Building any Slate, Brick, Part of any Brick, Wood, Rubbish, or other Material or Thing:

Who shall within any Building, or within the Distance of One hundred Yards from any Dwelling House, burn any Rags, Leather, or any offensive Substance, so that the same shall be a common Nuisance:

Who shall place or keep any offensive Matter in any inclosed or open Ground within One hundred Yards of any Dwelling House, so as the same may become a Nuisance or Annoyance to any Inhabitant.

Power to Commissioners to light the Streets.

CXLVI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause the several Streets within the said Parish, or such of them as they shall think proper, to be lighted with Gas, Oil, or otherwise, at such Times as they shall think fit, and to provide such Lamps, Lamp Posts, Lamp Irons, Pipes, and other Works as may be necessary for that Purpose.

Commissioners may contract for lighting.

CXLVII. And be it enacted, That it shall be lawful for the Commissioners to contract, for any Period not exceeding Five Years at any one Time, with the Owners of any Gas Works, or with any Person, for the Supply of such Gas, Oil, or other Material, as the Commissioners may think necessary for lighting the said Streets.

Power to break up Streets and lay down Pipes.

CXLVIII. And for the Purpose of enabling any Person with whom the Commissioners may contract to light the said Streets or any of them, be it enacted, That it shall be lawful for such Person with whom they may contract for lighting the said Streets or any of them, or for any other Persons under the Control and Direction of the Commissioners, to break up the Soil or Pavement of any Street within the said Parish, and to lay and fix therein such Pipes, Lamp Posts, and other

other Works as they may deem necessary for lighting the same, and also to lay and place against any Houses, Buildings, and Inclosures such Pipes, Lamp Posts, Lamp Irons, and Lamps, and other Works as they may deem necessary for the Purposes aforesaid: Provided always, that the Commissioners or Person aforesaid shall not lay or continue any Lamp, Lamp Iron, Lamp Post, Pipe, or other Work against or through any private Building, Inclosure, or Land, except with the Consent of the Owner and Occupier thereof.

Mains of Water and Gas Pipes, &c. to be made of Iron, and not to be laid down between 1st November and 1st March.

CXLIX. Provided always, and be it enacted, That all new or principal Mains of Pipes (not being Service Pipes fitted to any House or Building) for the Conveyance of Water or Gas which shall be laid down beneath the Surface of any Street within the said Parish shall consist and be made of Iron alone; and the Ground, Soil, or Pavement in such Street shall not be broken or taken up, for the Purpose of laying down any Main of Pipes, at any Time between the First Day of *November* in every Year and the First Day of *March* in the following Year, without the Consent in Writing of the Commissioners; and if any Person shall break or take up any such Ground, Soil, or Pavement for the Purposes aforesaid, during the Time aforesaid, without the Consent of the Commissioners, or shall lay or cause to be laid down any Pipe of any other Material than Iron, such Person shall forfeit the Sum of Forty Shillings for every Square Foot of Ground, Soil, or Pavement so broken or taken up, and the like Sum for every Foot in Length of Pipe which shall be so laid down not consisting or made of Iron.

Streets broken up to be reinstated without Delay.

CL. And be it enacted, That when the Soil or Pavement of any Street shall be broken up under the Authority of this Act the Commissioners or Person breaking up the same shall with all convenient Speed complete the Work on account of which the same shall be broken up, and fill in the Ground, and make good the Soil or Pavement so broken up, and carry away the Rubbish occasioned thereby, and shall in the meantime cause the Place where such Soil or Pavement shall be so broken up to be fenced and guarded, and shall set up and maintain upon or against the Part of the said Soil or Pavement so broken up a sufficient Light during every Night that such Soil or Pavement shall be continued so broken up; and in case any Person who shall break up such Street shall not complete the Work on account of the same, and fill in the Ground, and make good the Soil and Pavement, and carry away the Rubbish occasioned thereby as aforesaid, and shall not cause the Place to be fenced and guarded, and a Light maintained thereat as aforesaid, he shall forfeit the Sum of Five Pounds, and the further Sum of Twenty Shillings for each Day any such Omission shall continue.

Service Pipe to be kept fully charged.

CLI. And be it enacted, That every Branch or Service Pipe which shall be used for lighting with Gas the said Streets shall be kept fully charged with Gas, and the Stopcocks shall be so turned as not to impede any such Branch or Service Pipe being filled with Gas during the Time the same shall be lighted.

Penalties on Gas-makers or corrupting Water.

CLII. And be it enacted, That if any Person making or supplying any Gas within the said Parish shall at any Time cause or suffer to be conveyed or to flow into any Stream, Reservoir, Aqueduct, Pond,

or

or Place for Water within the said Parish, or into any Drain, Sewer, or Ditch communicating therewith, any Washing, Substance, or Thing which shall be produced in making or supplying Gas, or shall do any Act to the Water contained in any such Stream, Reservoir, Aqueduct, Pond, or Place for Water, whereby the Water therein shall be fouled or corrupted, then such Person shall forfeit for every such Offence the Sum of Two hundred Pounds.

Penalty to be sued for in Superior Courts within Twelve Months.

CLIII. And be it enacted, That the said Penalty of Two hundred Pounds shall be recovered, with full Costs of Suit, in any of the Superior Courts, by Action of Debt or on the Case, by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled and corrupted thereby: Provided always, that the said Penalty shall not be recoverable unless the same be sued for within Twelve Months after the Offence in respect of which such Penalty shall have been incurred shall have ceased.

Daily Penalty during the Continuance of the Offence.

CLIV. And be it enacted, That, in addition to the said Penalty of Two hundred Pounds, (and whether such Penalty shall have been recovered or not,) the Person making or supplying Gas as aforesaid shall forfeit the Sum of Twenty Pounds (to be recovered in the like Manner) for each Day such Washing, Substance, or Thing shall be conveyed or shall flow as aforesaid, or the Act by which such Water as aforesaid shall be fouled or corrupted shall continue after the Expiration of Twenty-four Hours from the Time at which Notice of the Offence shall have been served on such Person by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled or corrupted thereby; and such Penalty shall be paid to such last-mentioned Person.

Daily Penalty during Escape of Gas.

CLV. And be it enacted, That whenever any Gas shall escape from any Pipe which shall be laid down or set up by any Person making or supplying any Gas within the said Parish, such Person shall, immediately after receiving Notice in Writing of any such Escape of Gas, prevent such Gas from escaping; and in case such Person shall not within Twenty-four Hours next after Service of such Notice effectually prevent the Gas from escaping, and wholly remove the Cause of Complaint, then he shall for every such Offence forfeit the Sum of Five Pounds for each Day after the Expiration of Twenty-four Hours from the Service of such Notice during which the Gas shall be suffered to escape.

Penalty on Gas-makers if Water contaminated.

CLVI. And be it enacted, That whenever any Water within the said Parish shall be contaminated by the Gas of any Person making or supplying Gas within the said Parish, such Person shall forfeit for every such Offence a Sum not exceeding Twenty Pounds to the Person whose Water shall be so contaminated or affected.

Daily Penalty during the Continuance of the Contamination after Notice.

CLVII. And be it enacted, That if the Person so making or supplying Gas shall not, within Twenty-four Hours next after Notice in Writing of any Water being contaminated or affected served on him by the Person whose Water shall be so contaminated or affected, prevent the Gas from contaminating or affecting such Water, such Person

Person shall, over and above the before-mentioned Penalty of Twenty Pounds, forfeit for every such Offence to the Person whose Water shall be contaminated or affected a Sum not exceeding Ten Pounds for each Day during which the said Water shall remain contaminated or affected after the Expiration of Twenty-four Hours from the Service of such Notice.

Power to examine Gas Pipes to ascertain Cause of Contamination.

CLVIII. And whereas it may become a Question upon any such Complaint as aforesaid whether the said Water be contaminated or affected by the Gas of any Person making or supplying Gas within the said Parish; be it therefore enacted, That it shall be lawful for the Person to whom the Water supposed to be contaminated or affected by Gas may belong to dig and examine the Pipes, Conduits, and Apparatus of the Person making or supplying the Gas, for the Purpose of ascertaining whether the said Water has been contaminated or affected by the Gas of such Person: Provided always, that before proceeding so to dig and examine Twelve Hours Notice shall be given to the Person making or supplying such Gas of the Time at which such digging and Examination are intended to take place.

The Expences to abide the Result of the Examination.

CLIX. And be it enacted, That if upon such Examination it shall appear that such Water has been contaminated or affected by any Gas belonging to such Person, the Expences of the digging, Examination, and Repair of the Street or Place which shall be disturbed in any such Examination shall be paid by the Person making or supplying Gas; but if upon such Examination it should appear that the Water has not been contaminated or affected by the Gas of such Person, then the Person causing such Examination to be made shall pay all the Expences of Examination and Repair, and also make good to the said Person any Injury which may be occasioned to the Works of the said Person by such Examination.

The Amount of the Expences to be ascertained and recovered as other Damages.

CLX. And be it enacted, That the Amount of the Expences of every such Examination and Repair, and of any Injury done to the Person making or supplying Gas, shall, in case of any Dispute about the same, together with the Costs of ascertaining and recovering the same, be ascertained and recovered in the same Manner as any Damages for the ascertaining and Recovery of which no special Provision is made are to be ascertained and recovered.

Persons supplying Gas to be liable to Indictment for Nuisance.

CLXI. Provided always, and be it enacted, That nothing in this Act contained shall protect any Person making or supplying Gas within the said Parish from Indictment for any Nuisance, or from any other legal Proceeding, to which he may be liable in consequence of the making or supplying such Gas.

Fire Engines and Firemen may be provided by the Commissioners.

CLXII. And be it enacted, That it shall be lawful for the Commissioners to purchase or provide such Engines for extinguishing Fire, and such Water Buckets, Pipes, and other Apparatus for such Engines, and such Fire Escapes and other Implements for Safety or Use in case of Fire, and to purchase, keep, or hire such Horses for drawing such Engines, as they shall think fit, and to build, provide, or hire Places for keeping such Engines and other Apparatus, and to employ

employ a proper Number of Persons to act as Firemen, and to allow them such Salaries, and to make such Rules for their Regulation, as they shall think proper, and to give such Firemen and other Persons such Rewards for their Exertions in Cases of Fire as they shall think fit.

Commissioners to appoint Stands for Hackney Coaches, &c.

CLXIII. And be it enacted, That the Commissioners shall from Time to Time direct the Place for the standing of Hackney Coaches and other Carriages plying for Hire in the several Streets within the said Parish, and they may alter or vary such Place; and no Hackney Coach or other Carriage plying for Hire shall stand or ply in any other Place within the said Parish than shall be directed by the Commissioners; and if any Driver of any Hackney Coach or other Carriage shall place his Coach or Carriage, or shall ply therewith for Hire, in or upon any other Place within the said Parish than shall be directed by the Commissioners, such Person shall forfeit for every such Offence any Sum not exceeding Forty Shillings.

Power to regulate the Form and Position of Watering Places.

CLXIV. And whereas the Form and Construction of certain Places erected at or near the Doors of Public Houses and other Houses within the said Parish, for the Reception of Urine, or as Places for the Accommodation of Persons frequenting such Houses, and requiring the easing of Nature by making Water, are often such as to occasion many indecent and improper Exposures; be it therefore enacted, That it shall be lawful for the Commissioners and they are hereby authorized and empowered to order and direct any Alteration they shall think fit to be made by the Owners or Occupiers of such Houses in the Form and Situation of Boxes, Screens, Shades, and other Conveniences used or to be used as Depositories of Urine, or as Places for Persons requiring the easing of Nature by making Water, now or at any Time to be erected within the said Parish; and it shall be lawful for the Commissioners to order and direct the Owners or Occupiers of any Public House, Alehouse, or other Place licensed for the Sale of Beer or Spirituous Liquors to erect and put up a proper Box, Shade, Screen, or Convenience, and to provide necessary Pipes to convey away such Urine, at the Expence of such Owner or Occupier, according to a Plan to be laid down by the Commissioners, and in such Situation as the Commissioners shall direct; and no such Convenience shall be hereafter erected without the Consent in Writing of the Commissioners or their Clerk; and the Commissioners are hereby empowered to direct the Owners or Occupiers of any such Public or other House as aforesaid at or near which any such Box, Shade, Screen, or other Convenience for the Purposes aforesaid shall be placed to alter or pull down and rebuild such Box, Shade, Screen, or other Convenience, and place them where the Commissioners shall direct; and in case such Owner or Occupier shall not, within Twenty-one Days after having received Notice in Writing signed by the Clerk of the Commissioners, and left at the Dwelling House of the said Owner or Occupier, alter or pull down and rebuild such Box, Shade, Screen, or Convenience as aforesaid, or erect such Box, Shade, Screen, or other Convenience where there shall be none, agreeably to a Plan to be furnished by the Commissioners, the Owner

or

or Occupier so offending shall for every such Offence forfeit the Sum of Five Pounds, and the Sum of Five Shillings for each Day so long as the Nuisance shall be continued or such Convenience shall not be erected; and the Commissioners are hereby authorized and empowered to cause such Alteration to be forthwith made under the Direction of a Surveyor or other Person to be appointed by them for that Purpose.

Commissioners may indict for stopping up Rights of Way and for Nuisances.

CLXV. And whereas there are several ancient Landing Places on the Banks of the River *Thames*, and other Rights of Way within the said Parish, which are and have been of great Benefit and Convenience to the Inhabitants of the said Parish, and it is expedient that the same should at all Times be kept open for the Use of the said Inhabitants; be it therefore enacted, That it shall be lawful for the Commissioners from Time to Time to make Rules and Regulations for the Use and Maintenance of such Landing Places, and to enforce the same, and also, in all Cases when the Person stopping up any such Landing Places or Rights of Way would be liable to an Indictment, to indict or cause to be indicted at any General or Quarter Sessions of the Peace for the County of *Surrey*, or at any Adjournment thereof, every Person who shall have stopped or impeded, or shall hereafter stop or impede, or continue stopped or impeded, any such Landing Places or Rights of Way, and to take such other Proceedings for the opening thereof as shall appear to the Commissioners expedient.

Commissioners may provide Pumps, &c.

CLXVI. And be it enacted, That it shall be lawful for the Commissioners to sink and make, and from Time to Time to support and repair, a Well and Pump for the free Use of the Inhabitants within the said Parish.

Power to levy Rates.

CLXVII. And in order to raise Money for carrying the several Purposes of this Act into execution, be it enacted, That it shall be lawful for the Commissioners from Time to Time to make or cause to be made One or more equal Rate or Rates, or Assessment or Assessments, to be signed by Three of the Commissioners, upon the Occupiers of all Messuages, Lands, Tenements, and Hereditaments with the said Parish, according to the annual Value of the same, so as such Rates or Assessments do not exceed in any one Year the respective Sums in the Pound on such annual Value following; (that is to say,) on all Lands, Tenements, and Hereditaments within the said Parish, (except Arable, Meadow, or Pasture Land, or Market Garden Ground, Nursery Ground, or Plantation for growing Fruit for Sale, exceeding One Acre,) the Sum of Two Shillings in the Pound, and upon all such last-mentioned Land or Ground the Sum of One Shilling in the Pound.

Rate to be open to Inspection of Rate-payers.

CLXVIII. And be it enacted, That after any Rate shall be made the same shall be kept in the Custody of the Clerk of the Commissioners, and open to the Inspection of any Person rated in such Rate at all seasonable Times; and any such Person may take Copies or Extracts from such Rate, without paying any thing for the same; and

if the Clerk shall refuse to or shall not permit any Person so rated as aforesaid to take Copies or Extracts from such Rate he shall forfeit for every such Offence any Sum not exceeding Five Pounds.

Rates to be vested in the Commissioners.

CLXIX. And be it enacted, That the several Rates made under this Act shall be vested in the Commissioners, and shall be payable, at such Time as they shall direct, to the Collectors to be appointed by them.

Poor Rates to be open to Inspection by Commissioners.

CLXX. And be it enacted, That, for the Guidance of the Commissioners as to the annual Value of the Property rateable under this Act, it shall be lawful for the Commissioners, or for any Person by them authorized, from Time to Time to inspect the several Poor Rates for the said Parish, and the Assessments by which the same are made, and to take Copies of or Extracts therefrom respectively; and if any Person having the Custody of such Rates or Assessments shall not suffer the Commissioners, or any Person authorized by them, to inspect the same, or take Copies thereof or Extracts therefrom, he shall forfeit a Sum not exceeding Forty Shillings for every such Offence.

If Poor Rate an unfair Criterion, a Valuation to be made.

CLXXI. Provided always, and be it enacted, That if at any Time the Rate for the Relief of the Poor shall in the Judgment of the Commissioners be an unfair Criterion by which the Rates or Assessments under this Act should be made, it shall be lawful for them to cause a Valuation to be made of all the rateable Property within the said Parish by a Committee of the Commissioners, or by some competent Person to be appointed by them for that Purpose; and the Rates or Assessments to be made by the Commissioners for the Purposes of this Act shall be made upon such Valuation.

Valuer to make a Declaration.

CLXXII. And be it enacted, That before any such Valuation shall be made the Person appointed to make such Valuation shall make and subscribe a solemn Declaration to make such Valuation fairly and impartially according to the best of his Judgment; and an Entry or Minute shall be made in the Book of Proceedings of the Commissioners of the making and subscribing of such Declaration, and of the Date of making the same; and any Justice to whom Application may be made for that Purpose is hereby required to administer such Declaration.

Net annual Value.

CLXXIII. And be it enacted, That in every such Valuation the Property rateable under this Act shall be computed at its net annual Value according to the Poor Law Valuation Act.

Rate Books to be Evidence.

CLXXIV. And be it enacted, That the Books of Rates of the Commissioners, and all Entries made therein in manner by this Act directed, shall be received as Evidence of the Rates imposed by virtue of this Act.

Rates may be amended.

CLXXV. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to amend any Rate made by virtue of this Act, by inserting therein the Name of any Person who ought to have been rated, or by striking out the Name of any Person who ought not

not to have been rated, or by raising or reducing the Sum at which any Person shall have been rated, if it shall appear to them that such Person has been under-rated or over-rated, or by making such other Amendments therein as will in the Judgment of the Commissioners make such Rate just and equal; and no such Amendment shall be held to avoid the Rate: Provided always, that every Person who shall be aggrieved by any such Alteration shall have the same Right of Appeal therefrom as he would have had if his Name had been originally inserted in such Rate, and no such Alteration had been made; and every Person whose Rate shall be altered shall be entitled to Seven Days Notice of such Alteration before the Rate shall be payable by him.

Occupiers may be rated if they think fit.

CLXXVI. Provided always, and be it enacted, That it shall be lawful for the Occupiers of any rateable Property to demand to be assessed for the same, and to pay the Rates in respect thereof made under the Authority of this Act, and shall upon Tender of the Rates be entitled to vote as if he were actually rated.

Commissioners to pay Annuities to Commissioners acting in execution of 52G.3.c.111.

CLXXVII. And whereas the Commissioners acting under the Powers of the said Act of the Fifty-second Year of the Reign of His Majesty King *George* the Third have for the Purposes of that Act, and in exercise of the Powers in that Behalf contained therein, borrowed by way of Annuity divers Sums of Money upon the Security of the Rates authorized to be levied under the said last-mentioned Act: And whereas Two of the said Annuities, *viz.*, one of Thirty Pounds, and the other of Fifty-five Pounds, amounting together to the annual Sum of Eighty-five Pounds, now remain chargeable upon the said Rates: And whereas the said last-mentioned Commissioners have, since the First Day of *November* last, laid out and expended a considerable Sum of Money in laying down Foot Pavements and making other Improvements in the *Bermondsey New Road* in the said Parish of *Bermondsey*, Part of the District comprised within the Limits of the said last-mentioned Act, and it is expedient that Provisions should be made for Payment out of the Rates to be levied under this Act of a proportionate Part of the said Annuities, and also of the Sum of One hundred Pounds towards the Repayment of the Monies so expended in the said Parish of *Bermondsey*; be it therefore enacted, That the Commissioners acting in execution of this Act shall and they are hereby required annually to pay to the Commissioners acting in execution of the said Act of the Fifty-second Year of the Reign of King *George* the Third One Fifteenth Part or Proportion of the said respective Annuities of Thirty Pounds and Fifty-five Pounds, or so much thereof as shall from Time to Time be paid by them the said last-mentioned Commissioners, so long as the said respective Annuities shall continue payable; and further, that the said Commissioners acting in execution of this Act shall and they are hereby required, within Twelve Calendar Months next after the Commencement of this Act, to pay to the Commissioners for the Time being acting in the Execution of the Powers of the said Act of the Fifty-second Year of His said Majesty King *George* the Third the Sum of One hundred Pounds, to be applied by the said last-mentioned Commissioners for the general Purposes of the said Act; and further, that the said Fifteenth Part of the said Annuities, and the said Sum of One hundred Pounds, shall and may from Time to

to Time, as the Case may require, be recovered of and from the Commissioners acting in the Execution of this Act, in such Manner and by such Proceedings in and by which any other Sum of Money may be recovered against the said last-mentioned Commissioners under and by virtue of this Act.

Recovery of Rates outstanding in Bermondsey levied under 6 G. 3. c. 24., 11 G. 3. c. 17., and 28 G. 3. c. 68.

CLXXVIII. Provided always, and be it enacted, That, notwithstanding any thing in this Act contained, all Rates heretofore made and assessed under the Authority of the said recited Acts of the Sixth, Eleventh, and Twenty-eighth Years of the Reign of King *George* the Third, or any or either of them, may be collected and enforced, as well within the Parish of *Bermondsey* as without, in like Manner as if this Act had not been passed.

For Payment of 500*l.* as a Proportion of the Debt owing by the East Division Commissioners for Improvements in Bermondsey.

CLXXIX. And whereas the Commissioners acting under the Powers of the said Acts of the Sixth, Eleventh, and Twenty-eighth Years of the Reign of His Majesty King *George* the Third have for the Purposes of that Act, and in exercise of the Powers in that Behalf conferred upon them by the Act of the Fifty-seventh Year of the Reign of His said Majesty, intituled *An Act for better paving, improving, and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein*, borrowed at Interest, upon Security of the Rates levied and to be levied under the said Acts of the Sixth and Twenty-eighth Years of His said Majesty, various Sums of Money, of which the Sum of Three thousand one hundred Pounds now remains due and unpaid, and carrying Interest, and it is expedient that Provisions should be made for Payment out of the Rates to be levied under this present Act of a Part of such Debt of Three thousand one hundred Pounds; be it therefore enacted, That the Commissioners acting in the Execution of this Act shall and they are hereby required to pay, within Twelve Calendar Months next after the Commencement of this Act, out of the Monies to be levied under this Act, to the Commissioners for the Time being acting in execution of the Powers of the said Acts of the Sixth and Twenty-eighth Years of His said Majesty King *George* the Third, the Sum of Five hundred Pounds, to be applied by such last-mentioned Commissioners for the general Purposes of the said last-mentioned Acts; and the same Sum of Five hundred Pounds shall and may be recovered of and from the Commissioners acting in the Execution of this Act in such Manner and by such Proceedings in and by which any other Sums of Money may be recovered against such Commissioners.

On Payment of 500*l.* Commissioners for executing this Act indemnified from Debt of 3,100*l.*, &c.

CLXXX. And be it enacted, That upon Payment of the said Sum of Five hundred Pounds the said Commissioners acting under the said Acts of the Sixth and Twenth-eighth Years of His said Majesty King *George* the Third shall indemnify and save harmless the Commissioners for executing this Act, and all and every the Inhabitants of the said Parish of *Bermondsey*, from the said Debt of Three thousand one hundred Pounds, and every Part thereof, and from all Costs, Charges, Damages, and Expences which may arise by Nonpayments of the same Debt or Interest thereof, or any Part thereof.

Provision for Payment of the Propor-

CLXXXI. And whereas the Commissioners acting under the Provisions of the said Act of the Sixth Year of the Reign of His said Majesty

tion of Contract for lighting the East Division of Southwark until its Expiration.

Majesty King *George* the Third are under a Contract with the South Metropolitan Gas Light and Coke Company for the Supply of Gas to the public Lamps within the East Division of the Town and Borough of *Southwark*, and pay for such Supply at and after the Rate of Four Pounds Four Shillings *per Annum* for each and every Lamp, and such Contract will not expire until *Midsummer Day* in the Year One thousand eight hundred and forty-nine: And whereas there are in the Parish of *Bermondsey* One hundred and two Lamps supplied with Gas under such Contract, and it is expedient that Provisions should be made for Payment, out of the Rates to be levied under this present Act, to the Commissioners for putting the said recited Act of the Sixth Year of His said Majesty King *George* the Third into execution, the Sums of Money to become payable under the aforesaid Contract for the said Lamps in the said Parish of *Bermondsey*, unless and until the said South Metropolitan Gas Light and Coke Company will release the said last-mentioned Commissioners from such Contract so far as relates to the said Parish of *Bermondsey*; be it therefore enacted, That during the Continuance of the aforesaid Contract the Commissioners acting in the Execution of this Act shall and they are hereby required to pay, out of the Monies to be levied under this Act, to the Commissioners for the Time being acting in the Execution of the Powers of the said Act of the Sixth Year of the Reign of His said Majesty King *George* the Third, the Sum of Four Pounds Four Shillings *per Annum* for each and every of the said Lamps in the said Parish of *Bermondsey* comprised in the said recited Contract, by even and equal quarterly Payments at *Christmas Day*, *Lady Day*, *Midsummer Day*, and *Michaelmas Day*, by equal Portions, the first Payment thereof to be made at *Christmas Day* next; and in case of Nonpayment thereof or of any Part thereof on the Days and Times herein-before mentioned, the same shall be recovered of and from the Commissioners acting in the Execution of this Act in such Manner and by such Proceedings in and by which any other Monies may be recovered against such Commissioners.

Appeal to Petty Sessions on the ground of Inequality of Rates, &c.

CLXXXII. And be it enacted, That if any Person shall think himself aggrieved by any Rate, on the ground of Inequality, Unfairness, or Incorrectness of the Valuation of any rateable Property included therein, he may appeal to the Justices at any Petty Sessions which may be holden for the Purpose of determining any Appeals against the Poor Rates; but no such Appeal shall be entertained unless Notice of the Objection in Writing shall have been given to the Party appealed against, and to the Clerk to the Commissioners, Ten Days at least before the Day appointed for such Petty Sessions: Provided always, that no Person shall appeal until after Payment of the Rate by which he considers himself aggrieved.

Determination of Petty Sessions to be final unless appealed from.

CLXXXIII. And be it enacted, That the Justices assembled at any Petty Sessions for which any such Notice of Appeal shall have been given, or at any Adjournment thereof, shall hear and determine all such Appeals, and the Determination of such Justices shall be final, unless the same be appealed from in manner herein-after mentioned: Provided always, that it shall not be lawful for the Justices in such Petty Sessions assembled to inquire into the Liability of any Property

to be rated, but only into the full Value thereof, and the Fairness of the Amount at which the same may be rated, nor shall any Order of such Justices be of any Force pending an Appeal concerning the same Matter to the Court of General or Quarter Sessions, or in opposition to the Order of such Court upon any such Appeal.

Parties may appeal to Quarter Sessions against Rates, &c.

CLXXXIV. And be it enacted, That if any Person shall think himself aggrieved by any Rate made under the Authority of this Act, or by any Matters included in or omitted from the same, or by any Determination of the Justices in Petty Session assembled, or by any Determination of any Justice of the Peace in pursuance of this Act, or by any Determination, Order, Regulation, Bye Law, or Rule made by virtue of this Act, he may appeal to the next General or Quarter Sessions; but no such Appeal shall be entertained at such General or Quarter Sessions unless Ten Days Notice in Writing of such Appeal, stating the Nature and Ground thereof, be given to the Clerk to the Commissioners, and to the Party, if any, against whom such Appeal shall happen to be made, or whose Interests may be affected by such Appeal, and within Five Days next after such Notice shall enter into a Recognizance before some Justice, with Two sufficient Sureties, conditioned to try the same at the then next General or Quarter Sessions, and to abide the Order of such Court, and to pay such Costs as shall be awarded at such General or Quarter Sessions or any Adjournment thereof; and the Justices present at any such Session, upon due Proof of such Notice and Recognizance having been given and entered into as aforesaid, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and shall have Power to award such Damages and Costs to the Party appealing or prosecuting such Appeal, or such Costs to the Respondent or Party defending such Appeal, as they shall think proper; and all such Orders and Determinations at such Sessions shall be final, binding, and conclusive upon all Parties.

Court of Quarter Sessions to make such Order as they think reasonable.

CLXXXV. And be it enacted, That at the General or Quarter Sessions for which any such Notice of Appeal shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, except when the Court are hereby directed to adjourn the same, and, except when the Court shall think fit, to adjourn the Appeal to the following Sessions, which they are hereby authorized to do; and in all such Cases the Court shall hear and determine the Appeal at such last-mentioned Sessions.

On Appeal Quarter Sessions and Petty Sessions to have same Power of amending and quashing Rates, and of awarding Costs, as in Appeals against Poor Rates.

CLXXXVI. And be it enacted, That the Court of General or Quarter Sessions shall have the same Powers of amending or quashing such Rates as are by Law vested in them respectively for amending or quashing the Rates for the Relief of the Poor within their several Jurisdictions upon Appeals against such Rates, and shall likewise have respectively in any Appeal against any Rate made under the Authority of this Act the same Powers of awarding Costs to be paid by or to any of the Parties to an Appeal, and of recovering such Costs, as are now vested in them respectively for awarding and recovering Costs in an Appeal against any Rate for the Relief of the Poor within their several Jurisdictions.

Liability to Rates not to disqualify Witnesses or Justices.

CLXXXVII. And be it enacted, That no Person, although liable to the Payment of Money towards the Rates authorized to be raised under this Act, shall by reason thereof be deemed to be an incompetent Witness in any Proceeding before a Court of Justice under this Act, or be disabled to act as a Justice in the Execution ot the same.

Rates to be recovered by Action or by Distress.

CLXXXVIII. And be it enacted, That if any Person rated under the Authority of this Act shall not pay any of the said Rates due from him for the Space of Seven Days after Demand thereof by the Commissioners or their Collector, it shall be lawful for the Commissioners to recover the same by Action of Debt in any of the Superior Courts, with full Costs of Suit, or any Justice shall, on the Application of the Commissioners or their Collector, summon any such Person to appear before him, at a Time to be mentioned in the Summons, to show Cause why the Rates due from him should not be paid; and in case no sufficient Cause for the Nonpayment of such Rate shall be shown accordingly the same shall be levied by Distress, with the Costs attending the Summons and Hearing, and such Justice shall issue his Warrant accordingly.

Form of Warrant of Distress.

CLXXXIX. And be it enacted, That the Warrant of Distress for the Nonpayment of any Rate may include One Person or several Persons, and may be to the Effect mentioned in the Schedule (D.) to this Act annexed.

Constables to assist in making Distress.

CXC. And be it enacted, That in all Cases where a Distress is hereby authorized to be made every Constable authorized by the Warrant to levy any Sum mentioned therein shall, upon being required by a Collector of the Rates, aid in making a Distress or Sale pursuant to such Warrant; and every Constable who shall refuse to do so shall be liable to a Penalty not exceeding Five Pounds.

Power to Commissioners to remit Rate.

CXCI. Provided always, and be it enacted, That it shall be lawful for the Justices or Commissioners to reduce or remit the Payment of any Rate, on account of the Poverty or Sickness of any Person liable to the Payment of the Rate.

Owners to pay Rate in certain Cases.

CXCII. And be it enacted, That the Owners of all rateable Property within the said Parish the yearly Rents or Value whereof respectively shall not exceed Fifteen Pounds, or which shall be let furnished or as a Lodging House to weekly or monthly Tenants, or in separate Apartments, shall be rated to and pay the Rates by this Act directed to be made, instead of the Occupiers thereof.

Power to make Composition with the Owners of Houses, &c.

CXCIII. And be it enacted, That whenever the Owner of any rateable Property shall be rated as herein-before mentioned the Commissioners shall and they are hereby required, on Application made to them by such Owner, to compound with him for the Payment of the Rates to which he shall have become liable at such a reduced yearly Proportion or Amount as the Commissioners shall think proper, such reduced Proportion or Amount not being less than One Half nor more than Two Thirds of the annual Value or yearly Rent of such

Property, and from Time to Time to renew, alter, or discontinue any such Composition; and all such Compositions shall be entered in the Rate Book of the Commissioners: Provided always, that the Commissioners shall not be required to enter into any such Composition for a longer Period than Twelve Calendar Months at any one Time.

Not necessary to name the Owner where unknown.

CXCIV. And be it enacted, That whenever the Name of any such Owner shall not be known to the Commissioners, or to the Person making the Rates, it shall be sufficient to rate such Owner in the Rate Book of the Commissioners as the Owner of the Property to be rated, by the Designation of "the Owner," without stating his Name.

Receiver of Rents to be deemed the Owner.

CXCV. And in order to prevent any Dispute touching the Word "Owner" for the Purpose of rating under the Authority of this Act, be it enacted, That the Person receiving or authorized to receive the Rents of any rateable Property within the said Parish from the Occupier thereof, either on his own Account, or as Agent for any other Person, or the Mortgagee receiving the Rents of such rateable Property, shall be deemed the Owner of the same for the Purposes of such rating.

Tenants under existing Leases to repay the Owner.

CXCVI. Provided always, and be it enacted, That when any Owner shall be rated in respect of any rateable Property which shall be in the Occupation of a Tenant under any Lease or Agreement made prior to the passing of this Act, such Tenant shall repay to the Owner all Sums which shall be paid by the Owner on account of any Rates made under this Act during the Continuance of such Lease, unless it shall have been agreed that the Owner shall pay all Rates in respect of such Property.

In default of Owner for Six Months Occupier to pay.

CXCVII. And be it enacted, That when the Owner of any rateable Property shall have been rated in respect thereof, and the Rate shall have been unpaid for Six Months, it shall be lawful for the Commissioners or their Collector to recover the Amount of such Rate from the Occupier of such rateable Property by the same Means as the same might have been recovered if such Occupier had been rated thereto: Provided always, that no Occupier shall be required to pay, nor shall his Goods and Chattels be distrained for any further Sum than the Amount of Rent due from him at the Time when he shall have been required to pay, or of the issuing of the Warrant of Distress, unless he shall refuse to disclose the Amount of the Rent due from him on Application being made to him for that Purpose.

Owner to repay the Occupier.

CXCVIII. And be it enacted, That if the Amount of any Rate which, under the Provisions herein-before contained, ought to be borne by the Owner of any rateable Property, shall be paid by the Occupier of such Property, or levied on his Goods and Chattels, the Owner shall reimburse the Occupier, and it shall be lawful for such Occupier to deduct the Sums paid or levied, together with the Costs of the Distress, if any, paid by him, from the Rent due or to become due from him to such Owner.

CXCIX. And

Remedy against Persons quitting before Payment of Rates.

CXCIX. And be it enacted, That if any Person shall quit or be about to quit any rateable Property before he shall have paid the Rates then payable by him in respect thereof, and shall not pay the same to the Commissioners or their Collector, on demand, it shall be lawful for any Justice of the Peace having Jurisdiction where such Person may reside or his Goods be found to summon such Person to appear before him, at a Time to be mentioned in the Summons, to show Cause why the Rates should not be paid; and if no sufficient Cause for the Nonpayment of such Rates be shown accordingly the same shall be levied by Distress, and such Justice shall issue his Warrant accordingly.

Rates to be apportioned on Holder quitting.

CC. And be it enacted, That when any Rate shall have been made for a particular Period, and the Owner or Occupier who shall be rated to such Rate shall cease to be the Owner or Occupier of the Property in respect whereof he shall be rated before the End of such Period, such Owner or Occupier shall be liable to pay a Portion only of the Rate payable for the whole of such Period proportionate to the Time during which he continued to be Owner or Occupier; and if any Person shall become the Owner or Occupier of any Property so rated as aforesaid during any Part of any Period for which any Rate shall have been made, such Person shall pay a Portion of such Rate proportioned to the Time during which he shall have held or occupied the Property so rated.

Persons entering on unoccupied Property to pay a Portion of the Rate.

CCI. And be it enacted, That if any Property rateable under this Act shall have been unoccupied at the Time of making any Rate, and any Person shall occupy such Property during any Part of the Period for which such Rate shall have been made, it shall be lawful for the Commissioners to rate such Property, and the Person occupying the same during any Part of the Period aforesaid shall pay a Portion of the said Rate proportioned to the Time during which he shall occupy such Property.

Application of the Rates.

CCII. And be it enacted, That all Money which shall come into the Hands of the Commissioners under this Act shall be applied in the first place in paying the Expences of obtaining and passing this Act or incident thereto, and then in Payment of the Interest of all Monies borrowed on Mortgage of the said Rates, and of any Charges created under or by virtue of the said recited Acts hereby repealed, any or either of them, and afterwards in defraying the Expences of paving, cleansing, watering, and lighting the several Streets within the said Parish, and of improving the same, and carrying the several other Purposes of this Act into execution, and in paying off the Principal Sums borrowed on the Credit of the Rates.

Surveyor to Commissioners to execute the Office of Surveyors of the Highways.

CCIII. And be it enacted, That the Surveyor to be appointed by the Commissioners shall be deemed and taken to be the Surveyor of the Highways within the said Parish for the several Purposes in an Act passed in the Third Year of the Reign of His Majesty King *George* the Third, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called*

called England, mentioned; and the Commissioners or their Surveyor shall do and perform all other Acts, Matters, and Things which Surveyors of Highways are by the said Act, or by any other Act for the Repairs of the Highways, or by Law, required to do or perform, or which might have been done by any Surveyor of the Highways for the said Parish if such Office had been continued; and the Surveyor to be appointed by the Commissioners shall be subject and liable to the like Penalties and Forfeitures for the Nonperformance of the said Duties or any of them as any Surveyor of the Highways is by the said Act or Acts made subject or liable.

Recovery of Money from Commissioners.

CCIV. And with respect to any Money under the Provisions of this Act adjudged to be paid by the Commissioners, for which no other Mode of Proceeding is hereby prescribed, be it enacted, That if such Money be not paid by the Commissioners to the Party entitled to receive the same within Twenty-one Days after Demand thereof in Writing, stating the Order of the Justices for the Payment of such Money, the Amount shall be recovered by Distress of the Goods of the Commissioners, and, if no sufficient Goods of the Commissioners can be found, by Distress of the Goods of the Treasurer of the Commissioners; but no such Distress shall issue against the Goods of such Treasurer unless Seven Days previous Notice in Writing, stating the Amount so due, and demanding Payment thereof, shall have been given to such Treasurer, or left at his usual Place of Abode.

Reimbursement of Treasurer.

CCV. And be it enacted, That if such Treasurer pay any Money under any such Distress as aforesaid it shall be lawful for him to retain the Amount so paid by him, and all Costs and Expences occasioned thereby, out of any Money belonging to the Commissioners coming into his Custody or Control, or to sue the Commissioners for the same in the same Manner as other Parties are by this Act enabled to sue the Commissioners.

Penalties to be recovered as directed by 2 & 3 Vict. c. 71.

CCVI. And be it enacted, That every Penalty and Forfeiture imposed by this Act shall be recovered, levied, and applied in the same Manner as Penalties and Forfeitures imposed by an Act passed in the Session of Parliament held in the Second and Third Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for regulating the Police Courts in the Metropolis*, are directed to be recovered, levied, and applied.

Damages to be ascertained with the Penalty.

CCVII. And be it enacted, That when any Damages or Charges are directed to be paid in addition to any Penalty for any Offence, the Amount of such Damages or Charges, in case of Nonpayment thereof, or of any Dispute concerning the same, shall be determined by the Justices before whom the Offender shall be convicted of such Offence, and shall be levied by Distress.

Transient Offenders.

CCVIII. And with respect to Offenders whose Names and Residences are not known, be it enacted, That any Officer of the Commissioners, and all Persons called by him to his Assistance, may seize and detain any Person who shall have committed any Offence against the Provisions of this Act, and whose Name and Residence shall be

unknown to such Officer, and may convey him with all convenient Despatch before some Magistrate, without any Warrant or other Authority than this Act; and such Magistrate shall proceed with all convenient Despatch to the hearing and determining of the Complaint against such Offender.

Monies advanced for obtaining this Act to be repaid, with Interest.

CCIX. And be it enacted, That if any Person shall advance, pay, or lend any Money towards defraying the Expence of obtaining and passing this Act, he shall be repaid the same, together with Interest for the same, at a Rate not exceeding Five Pounds *per Centum per Annum*, out of the first Monies to be raised by virtue of this Act.

Commencement of Act.

CCX. And be it enacted, That this Act shall commence on the First Day of *September* next after the passing thereof.

Saving the Rights of the Commissioners of Sewers.

CCXI. Provided always, and be it enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice or diminish, alter, abridge, or take away, any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the Limits extending from *East Moulsey* in the County of *Surrey* to *Ravensborne* in the County of *Kent*, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been passed.

Saving Rights of Commissioners acting under 52G.3. c.111.

CCXII. Provided also, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from, or in any way whatever to interfere with or affect, the Rights, Interests, Powers, and Authorities of the Commissioners for the Time being acting under or in execution of a certain Act of Parliament made and passed in the Fifty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for paving the Footpaths and for lighting and watching that Part of the* Kent Street Road *which leads from* Kent Street End *unto the Bridge next immediately below the* Green Man *Turnpike situate within the Parish of* St. George the Martyr Southwark *in the County of* Surrey, *and certain public Streets, Squares, Lanes, Passages, and Places communicating therewith respectively situated within the said Parish or within the Parishes of* St. Mary Magdalen Bermondsey *and* St. Mary Newington *adjoining thereto, and for removing and preventing Encroachments and Annoyances therein*, except so far as such Act relates to the said Parish of *Bermondsey*, and is hereby repealed and altered.

Saving Rights of Commissioners of the East Division of Southwark.

CCXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from, or in any way whatever to interfere with or affect, the Rights, Interests, Powers, and Authorities of the Commissioners for the Time being acting under or in execution of the said recited Acts of the Sixth, Eleventh, and Twenty-eighth Years of the Reign of His Majesty King *George* the Third, except so far as such Acts respectively relate to the said Parish of *Bermondsey*, and are hereby repealed or altered.

CCXIV. And

Interpretation of Act.

CCXIV. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

The Word "Street" shall include every Square, Street, Court, or Alley, Highway, Lane, Road, Thoroughfare, or public Passage or Place, within the Parish of *Saint Mary Magdalen Bermondsey:*

The Expression "the Commissioners" shall mean the Commissioners for the Time being acting by virtue of this Act.

Public Act.

CCXV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHE-

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Form of Mortgage Deed.

By virtue of an Act passed, *&c.*, intituled, *&c.*, we of the Commissioners appointed by *or* by virtue of the said Act, in consideration of the Sum of paid to the Treasurer to the said Commissioners by *A. B.* of for the Purposes of the said Act, do grant and assign unto the said *A. B.*, his Executors, Administrators, and Assigns, such Proportion of the Rates or Assessments arising by virtue 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 the said Rates or Assessments, to hold to the said *A. B.*, his Executors, Administrators, and Assigns, from this Day until the said Sum of with Interest at per Centum per Annum for the same, shall be fully paid and satisfied. In witness whereof we have hereunto set our Hands and Seals, this Day of One thousand eight hundred and .

SCHEDULE (B.)

Form of Transfer of Mortgage.

I *A. B.* of in consideration of the Sum of paid to me by *C. D.* of do hereby transfer to the said *C. D.*, his Executors, Administrators, and Assigns, a certain Mortgage, Number made by the Commissioners for executing an Act passed, *&c.*, intituled, *&c.*, to bearing Date the Day of for securing the Sum of and Interest, [*or, if such Transfer be by Endorsement*, "the within Security,"] and all my Right, Estate, and Interest in and to the Money thereby secured, and in and to the Rates or Assessments thereby assigned. In witness whereof I have hereunto set my Hand and Seal, this Day of One thousand eight hundred and .

SCHEDULE (C.) of Property intended to be taken.

Bermondsey Street.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Shop and Dwelling House, No. 166.	Thomas Brooke -	Benjamin Phillips -	Benjamin Phillips.
Wool Warehouse, 167 -	Ditto - -	- - -	Jesse Curling.
Shop and Dwelling House, No. 168.	Governors and Directors of the Poor of the Parish of Saint Mary Magdalen Bermondsey.	Thomas Austin -	John Wright.
Ditto, No. 169 -	Ditto - -	Ditto - -	Thomas Austin.
Offices and Dwelling House, No. 185.	Beriah Drew and George Drew.	- - -	Beriah Drew and George Drew.
Shop and Dwelling House, No. 209.	John Spencer Manning and George Augustus Manning.	- - -	Jeremiah Woodman.
Ditto, No. 210 -	Ditto - -	- - -	Robert Barker.
Ditto, No. 210½ -	Ditto - -	- - -	Robert Wigfield.
Ditto, No. 211 -	Ditto - -	- - -	Joseph Chesney.
Tyer's Gateway.			
House and Yard -	John Spencer Manning and George Augustus Manning.	- - -	Unoccupied.
Long Lane.			
The Star and Windmill Public House.	George Porter - -	Henry Fearon -	Henry Fearon.
Shop and Dwelling House, No. 192.	George Porter and George Stevens.	- - -	Thomas Adams.
Shop and Dwelling House, No. 191.	George Porter and George Stevens.	- - -	Lydia Clarke.
Shop and Dwelling House, 190 - - -	George Porter and George Stevens.	- - -	Thomas Pays.
Ditto, 189 -	Ditto - -	- - -	Unoccupied.
House and Yard, 188 -	Eleanor Knapp -	Society of Friends -	Thomas North.
Ditto, 187 - -	Ditto - -	Frederick Farrand -	Henry Farrand.
Wyld's Rents.			
Dwelling House, No. 13	Mary Ann Davies -	- - -	Ann Stevens.
Smith's Buildings.			
Shop and Dwelling House	Mary Ann Davies -	- - -	Sarah Mary Martin.
Ditto, 46 - -	Ditto - -	James Hardwidge -	Mary Ann Gunnis.
Ditto, 47 - -	Ditto - -	Ditto - -	Edward Wright.
Part of Fore Court, 13 -	Ditto - -	- - -	Mary Bromley.
Part of Fore Court of No. 12.	Ditto - -	- - -	Mary Ann Parkin.
Ditto of No. 11 -	Ditto - -	- - -	William Smart.
Victoria Place.			
Ditto, 13 - -	Ditto - -	- - -	Michael Johnson.
Ditto, 14 - -	Ditto - -	- - -	Mary Jones.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Cottage Place.		
Part of Fore Court of No. 6.	James Horne - -	- - -	John Lee.
Ditto of No. 7 -	Ditto - -	- - -	Unoccupied.
Ditto of No. 8 -	Ditto - -	- - -	Ditto.
Ditto of No. 22 -	Mary Ann Davies -	- - -	Sarah Hobden.
	Between Little George Street and Riley Street.		
Piece of Ground -	Jeremiah Riley -	F. P. Slee and others	F. P. Slee and others.
	Grange Yard.		
Part of a Bark Barn -	Thomas Smith - -	- - -	Thomas Smith and Son.
Shed and Buildings -	John Perkins - -	- - -	John Foster.
Part of Yard in rear of No. 4, Adelaide Place, Grange Road.	Ditto - -	Thomas Martin -	Edward Honey.
	Grange Walk.		
House at Corner of Grange Walk.	John Perkins - -	- - -	Jesse Shaw.
	Spa Road.		
Shed and Yard - -	Devisees of Charles Easton.	- - -	Misses Easton.
	Dockhead South.		
Shop and Dwelling House, No. 11.	Charles Sotherby -	Assignees of Edward Stone.	Assignees of Edward Stone.
Ditto, No. 10 -	Ditto - -	Sarah Tucker -	Sarah Tucker.
Ditto, No. 9 -	Ditto - -	- - -	Francis Taylor.
Ditto, No. 8 -	Ditto - -	Edward Sumner -	Edward Sumner.
Ditto, No. 7 -	Ditto - -	Johannah Priddy -	Johannah Priddy.
Red Lion Public House and Premises, No. 6.	Ditto - -	Messrs. Courage and Donaldson.	Archibald Robinson.
Shop and Dwelling House, No. 5.	Ditto - -	John Pulsford -	John Pulsford.
Shop, Dwelling House, and Premises, No. 4.	Ditto - -	William Greenslade -	William Greenslade.
	Dockhead North.		
Shop and Dwelling House, No. 1.	Anna Maria Rye -	- - -	George Hore.
Ditto, No. 2 -	Ditto - -	- - -	William Stoffell.
Ditto, No. 3 -	Ditto - -	- - -	William Hewett.
Ditto, No. 4 -	Ditto - -	- - -	C. Smith.
Ditto, No. 31 -	Miss Tubb - -	- - -	William Hooper.
Ditto, No. 1 -	J. Poulton - -	- - -	William Snelling.
Ditto, No. 2 -	Ditto - -	- - -	J. Poulton.
	Hickman's Folly, North Side.		
Shop and Dwelling House, No. 14.	S. Nunn - -	J. H. Marchant -	J. H. Marchant.
Premises opposite Foundry.	Benjamin Weir -	- - -	Messrs. Brook and Benn.
Shop and Dwelling House, and vacant Ground West, No. 4.	Ditto - -	- - -	J. Fisher.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Dwelling House, No. 3 -	Benjamin Weir -	- - -	W. Glass.
Shop and Dwelling House, No. 2.	Ditto - -	- - -	W. J. Thatcher.
White Hart Public House and Premises, No. 1 -	Mary Penelope Thompson.	John Cox - -	J. Beeson.
Hickman's Folly South.			
Shop and Dwelling House	John Samuel Schwenck	- - -	John Johnson.
Ditto, No. 1.	Devisees of John Davidson, deceased.	- - -	John Hill.
Shop and Dwelling House No. 2 - - -	Ditto - -	- - -	Thomas Hewitson.
Ditto, No. 3 -	Ditto - -	- - -	Ann Howlett.
Ditto, No. 4 -	Ditto - -	- - -	W. Clark.
Ditto, No. 5 -	Ditto - -	- - -	G. Nelson.
Part of Foundry -	Ditto - -	- - -	Brook and Benn.
Shop and Dwelling House	S. Nunn - -	J. H. Marchant -	J. H. Marchant.
Two Houses adjoining -	Ditto - -	- - -	Unoccupied.
Nutkin's Corner, Bermondsey Wall.			
Shop and Dwelling House	Whayman - -	- - -	W. Moore.
Ditto - -	Ditto - -	- - -	G. C. Coppock.
Ditto - -	Ditto - -	- - -	W. Wilby.
Ground adjoining Millstream.	Ditto - -	- - -	J. Marsden and others.
Mill Street, Corner of Jacob St. Bridge.			
Shop and Dwelling House	Thomas Starling Benson	John Oriel - -	John Oriel.
Foundations of a House	Ditto - -	Ditto - -	Ditto.
Bermondsey Wall, near East Lane.			
Shop and Dwelling House, opposite Fore and Aft Dock.	Mrs. Jones - -	Robert Barker -	Robert Barker.
Upper Fort Place.			
Part of Fore Court of Dwelling House and Factory, Nos. 1 and 2.	Mrs. Mary Ann Merritt Barton.	Richard Walker -	Richard Walker.
Ditto of Dwelling House, No. 3.	Ditto - -	G. Courthorpe and others.	Widow Robinson.
Ditto of Dwelling House, No. 4.	Ditto - -	Ditto - -	Richard Crafter.
Blue Anchor Road.			
Part of Fore Court of Dwelling House, and Factory or Shed.	Mrs. Mary Ann Merritt Barton.	— Hutchins - -	Richard Walker.
Ditto of House or Beer Shop.	Ditto - -	Ditto - -	James Farndell.
Ditto of House and Shed.	Ditto - -	- - -	John Ochelford.
Vacant Ground -	Ditto - -	- - -	Vacant.
Blue Anchor Lane.			
Cottage and Yard -	Lewis Levy and George Fuller.	- - -	Morgan Sheen.
Ditto - -	Ditto - -	- - -	James Lynch.

SCHEDULE (D.)

Form of Warrant of Distress.

} To one of the Collectors of the
to wit. } Rates under an Act passed, *&c.*, intituled, *&c.*, and to all Constables.

WHEREAS the under-mentioned Persons, now or late Owners or Occupiers of Premises within the have been duly rated in or liable to the Payment of a Rate made on the Day of under the Authority of the said Act, and there are now due from them respectively the several Sums of Money against their Names herein-after respectively set down, which they have not paid, as appeareth upon Oath to me, One of Her Majesty's Justices of the Peace for the ; and the said several Persons having been duly summoned to appear before me to answer the Premises, and not having shown sufficient Cause why such several Sums of Money should not be paid; These are therefore in Her Majesty's Name to require you or any of you forthwith to levy the said several Sums due as herein-before mentioned by Distress and Sale of their respective Goods and Chattels of the Persons aforesaid, rendering to them respectively the Overplus (if any), the reasonable Charges of such Sums, Warrant, Distress, and Sale being first deducted; and if no sufficient Distress can be had and taken, then that you certify the same to me, to the end that further Proceedings may be had as the Law doth authorize and direct. And we do hereby strictly charge and command all and singular the Constables respectively to be aiding and assisting in all Things relating to these Premises.

Given under my Hand and Seal, this Day of in the Year of our Lord One thousand eight hundred and .

	Sums due.
	£ s. d.
A. B. - - - -	
C. D. - - - - -	

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