ANNO QUARTO

GEORGII IV. REGIS.

Cap. cxiv.

An Act for altering and amending Two Acts passed in the Eleventh and Thirty-third Years of His late Majesty King *George* the Third, for consolidating, extending, and rendering more effectual the Powers granted by several Acts of Parliament for making, enlarging, amending, and cleansing the Vaults, Drains, and Sewers within the City of *London* and Liberties thereof; and for paving, cleansing, and lighting the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, and preventing and removing Obstructions and Annoyances within the same.

[27th *June* 1823.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for consolidating, extending, and rendering more effectual the Powers granted by several Acts of Parliament, for making, enlarging, amending, and cleansing the Vaults, Drains, and Sewers within the City of* London *and Liberties thereof, and for paving, cleansing, and lighting the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, and preventing and removing Obstructions and Annoyances within the same;* 11 G. 3. c. 29.

and it was thereby enacted, that for defraying the Expence of paving, cleansing, and lighting the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, and preventing Annoyances therein, and of making, enlarging, widening, deepening, altering, and removing all or any of the common Sewers, public Drains and Vaults within the said City and Liberties, One or more Rate or Rates, Assessment or Assessments, should at such Time or Times as the Commissioners acting in the Execution of the said Act should think fit to order and direct, by Writing under their Hands and Seals, or the Hands and Seals of any Seven or more of them, be made, laid, and assessed in the several Wards of the said City, by the Aldermen or their Deputies respectively, and the major Part of the Common Councilmen of each Ward, upon all and every Person or Persons who should inhabit, hold, occupy, possess, or enjoy any Land, House, Shop, Warehouse, Cellar, Vault, or other Tenement or Hereditament within the said several Wards, and who by the Laws then in being were or should be liable to be rated towards the Relief of the Poor in the respective Parishes where he, she, or they should respectively live or reside, for raising such competent Sum or Sums of Money as the said Commissioners should from Time to Time judge needful and direct; so as such Rates or Assessments did not in any One Year exceed in the Whole the Sum of One Shilling and Sixpence in the Pound of the yearly Rents of such of the said Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements or Hereditaments respectively, as should be situated in any Street, Lane, Square, Yard, Court, Alley, Passage, or Place actually begun to be new paved by virtue and in pursuance of the said Act or of any former Act of Parliament, and One Shilling in the Pound of the yearly Rents of such of the Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements, or Hereditaments respectively, as should not be so situate; such Rates respectively to be from Time to Time ascertained by the Rates at which such respective Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements or Hereditaments should be from Time to Time assessed towards the Land Tax: And whereas an Act was passed in the Thirty-third Year
33 G. 3. c. 75. of the Reign of His late Majesty King *George* the Third, intituled *An Act to explain, amend, and render more effectual an Act passed in the Eleventh Year of His present Majesty's Reign, intituled 'An Act for consolidating, 'extending, and rendering more effectual the Powers granted by several 'Acts of Parliament, for making, enlarging, amending, and cleansing the 'Vaults, Drains, and Sewers within the City of* London *and Liberties 'thereof, and for paving, cleansing, and lighting the Streets, Lanes, Squares, 'Yards, Courts, Alleys, Passages, and Places, and preventing and removing 'Obstructions and Annoyances within the same:'* And whereas, in consequence of the Redemption and Sale of the Land Tax, by virtue of the several Acts of Parliament made and passed for that Purpose, the Rates to be assessed by virtue of the said recited Acts for paving, cleansing, and lighting the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, and preventing Annoyances therein, and of making, enlarging, widening, deepening, altering, and removing all or any of the common Sewers, public Drains, and Vaults within the said City and Liberties, can no longer be fairly or justly ascertained by the Rates at which the said Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements, and Hereditaments, are assessed towards the Land Tax, some of the said Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements, and

Hereditaments, being no longer subject to any Assessment towards the Land Tax, and the Rates at which others of them are assessed thereto having been considerably increased since any Assessment was made upon several of the said Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements, and Hereditaments, the Land Tax payable in respect of which has been redeemed or purchased: And whereas it is expedient that the Rates to be assessed by virtue of the said recited Acts for the Purposes aforesaid, should be just and equal Rates, and that the Powers and Provisions of the said recited Acts should be altered and amended; but as the same cannot be effected without the Aid of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the Provisions contained in the said recited Acts and herein-before recited, which require that the Rate or Rates, Assessment or Assessments to be laid or assessed for the aforesaid Purposes, upon any Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements, or Hereditaments shall be ascertained by the Rates at which such respective Lands, Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements or Hereditaments shall be assessed towards the Land Tax, shall be and the same is hereby repealed.

Provisions in recited Acts requiring the Rates to be ascertained by the Assessment to the Land Tax, repealed.

II. And be it further enacted, That from and after the passing of this Act, the Restriction contained in the said recited Act of the Eleventh Year of the Reign of His said late Majesty, which prevents Rates or Assessments being made for the Purposes aforesaid, which shall in any One Year exceed in the whole the Sum of One Shilling in the Pound of the yearly Rents of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements, or Hereditaments as should not be situate in any Street, Lane, Square, Yard, Court, Alley, Passage or Place, actually begun to be new paved by virtue and in pursuance of the said recited Acts, or of any former Act of Parliament, shall be and the same is hereby repealed.

Restriction preventing Rate exceeding 1s. in the Pound, repealed.

III. And be it further enacted, That from and after the passing of this Act, the Rate or Rates, Assessment or Assessments for defraying the Expences of paving, cleansing, and lighting the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages and Places, and preventing Annoyances therein, and making, enlarging, widening, deepening, altering and removing all or any of the common Sewers, public Drains, and Vaults, within the said City and Liberties, to be made, laid, and assessed by virtue of the said recited Acts and this Act, in the several Wards of the said City, and other Places within the Limits of the said recited Acts and this Act, shall be just and equal Pound Rates, and shall be made, laid, and assessed according to the respective annual Rents or Value of all and every the Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements and Hereditaments respectively authorized to be assessed by the said recited Acts or either of them, but subject to the Exceptions and Provisions in the said recited Acts or either of them contained, so as such Rates and Assessments do not in any One Year exceed in the whole the Sum of One Shilling and Sixpence in the Pound of the respective yearly Rents or Value of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements and Hereditaments.

The Rates under recited Acts and this Act shall be an equal Pound Rate.

IV. And

Alderman and Common Council of each Ward to deliver a Copy of any Assessment to the Clerk of the Commissioners of Sewers within Seven Days after it is made.

IV. And be it further enacted, That when and so often as the Alderman of any Ward, or his Deputy, and the major Part of the Common Councilmen of such Ward, shall make, lay, and assess any Rate or Assessment, by virtue of the said recited Acts and this Act, for the Purposes aforesaid, they shall and are hereby required, within Seven Days after such Rate or Assessment respectively shall have been made, to deliver or cause to be delivered the same, or a Duplicate thereof, to any One of the Clerks for the Time being of the Commissioners of Sewers of the City of *London* and Liberties thereof, at the Office for the Time being of the said Commissioners within the said City.

Commissioners may rectify Errors in the Rates.

V. And be it further enacted, That if it shall appear to the said Commissioners that the Name or Names of any Person or Persons who ought to be included in such Rate or Assessment hath or have been omitted therein, or that the Name or Names of some Person or Persons hath or have been inserted in such Rate or Assessment as Inhabitants, Holders, or Occupiers of any Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments, for or in respect of which some other Person or Persons ought to have been rated or assessed, or that any Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments are not rated or assessed according to the true Value thereof, or that any other Alteration or Amendment of such Rate or Assessment may be necessary, then and in any of such Cases it shall be lawful for the said Commissioners to add or insert, or cause to be added and inserted to or in such Rate or Assessment, the Name or Names of the Person or Persons so omitted, together with the Sum or Sums for which he or they ought to be rated and assessed, and the Amount of such Rate or Assessment in respect thereof; and also to insert and substitute, or cause to be inserted and substituted, the Name or Names of such Person or Persons as may be the Inhabitants, Holders, or Occupiers of any Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments, instead of and for the Name or Names of the Person or Persons incorrectly inserted in such Rate or Assessment as the Inhabitants, Holders, or Occupiers thereof, and also to alter the Amount of the Sum at which any Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament shall be rated or assessed, and otherwise from Time to Time to alter and amend the said Rate and Assessment, as they may from Time to Time deem just and reasonable; and that every such Addition, Insertion, Alteration and Amendment to or in any such Rate or Assessment, shall be valid and effectual in Law to all Intents and Purposes, and the Monies charged to any Person or Persons in consequence thereof shall and may be demanded, received, and recovered in the same Manner as if the Name or Names of such Person or Persons, or other Alteration or Amendment, had been inserted and made in such Rate or Assessment when the same was originally made, by the said Alderman or his Deputy, and the major Part of the Common Councilmen of the respective Ward.

Commissioners to deliver a Copy of any Assessment, in which an Alteration shall be made, to the Alderman

VI. Provided always, and be it further enacted, That the said Commissioners shall, and they are hereby required, when and so often as any Addition, Insertion, Alteration, or Amendment shall be made by them in any Rate or Assessment as aforesaid, to deliver or cause to be delivered to the Alderman of the Ward in which such Rate or Assessment shall have been made, or his Deputy, a Copy of such Rate or Assessment, with every

every or any Addition, Insertion, Alteration or Amendment, which shall have been made therein, signed by the said Commissioners, or any Seven or more of them; and in case the Alderman of any Ward or his Deputy, and the major Part of the Common Councilmen of such Ward, shall think any Addition, Insertion, Alteration or Amendment, made by the said Commissioners in such Rate or Assessment respectively, unjust or unreasonable, it shall be lawful to and for them, or any of them, to appeal against such Addition, Alteration, or Amendment, to the Court of Mayor and Aldermen of the said City, at the next Court to be held next after a Copy of the Rate or Assessment, with such Addition, Insertion, Alteration, or Amendment, shall have been delivered as aforesaid; and the Determination of the said Court of Mayor and Aldermen respecting the same shall be final and conclusive; and such Rate or Assessment, according to the Determination of the said Court, shall be valid and effectual in Law, to all Intents and Purposes whatsoever; and the Monies charged to any Person or Persons in consequence thereof shall and may be demanded, received, and recovered in the same Manner as if such Rate or Assessment had been made by the said Alderman or his Deputy, and the major Part of the Common Councilmen of such Ward respectively, and no Addition, Insertion, Alteration or Amendment, had been made therein.

or his Deputy, and he, or any of the Common Councilmen, may appeal against the Alteration to the Court of Aldermen.

VII. And be it further enacted, That if any Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament, shall be partly within Two or more Wards or other Districts within the Jurisdiction of this Act, or partly within any Ward or other District within the Jurisdiction of this Act, and partly without such Jurisdiction, then the Inhabitant, Holder, or Occupier thereof, or other Person or Persons liable to be rated in respect thereof, shall be rated and assessed to the Rates and Assessments to be made by virtue of the said recited Acts or this Act, for each of such Wards or other Districts, for a proportionable Part of the Rent or Value thereof, according to the Quantity and Extent or Value of the Part of any such Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments, which may be in each of such Wards or other Districts; and that it shall and may be lawful for the said Aldermen or their respective Deputies, and the major Part of the Common Councilmen in such Ward respectively, and they are hereby respectively authorized and required, to ascertain, settle, and determine in what Proportion of the Rent or Value of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments, such Person or Persons shall be rated and assessed, and shall pay towards the said Rates or Assessments of each of such Wards or other Districts respectively; and in case the Aldermen, or their respective Deputies, and the major Part of the Common Councilmen in any Two or more Wards, shall not agree upon any such Proportion as aforesaid, then and in any such Case the same shall be determined by the Court of Mayor and Aldermen of the said City in manner hereinbefore mentioned.

Property in different Districts to be equally assessed.

VIII. And be it further enacted, That where any Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament, in respect whereof any Rate or Assessment shall be made as aforesaid, shall be let out in Apartments by the Lessee, Tenant, or Landlord thereof, any one or more of such Lodgers shall be deemed the Occupier or Occupiers thereof for the Purposes of the said recited Acts and this Act; and that all and every

Houses let out in Apartments, Lodgers to be deemed the Occupiers.

such respective Lodger or Lodgers who shall pay any such Rate or Assessment, or any Part thereof, or from whom the same or any Part thereof shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the next Rent due and payable, or to be due and payable from him, her, or them to such respective Lessee, Tenant, or Landlord, and the Receipt for such Payment shall be a sufficient Discharge for such Lodger or Lodgers to his, her, or their Landlord, for so much Money as he, she, or they shall pay, or as shall be levied on him, her, or them by virtue of the said recited Acts and this Act: Provided always, that no such Lodger or Lodgers shall at any Time be required to pay, or be subject or liable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, and Arrears thereof, than the Amount of the Rent actually due or payable by such Lodger or Lodgers to the Lessee, Tenant, or Landlord of the Premises so occupied by him, her, or them: Provided also, that in all cases where any Person shall remove from or quit any Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament, which shall be rated or assessed by virtue of this Act, such Person shall be liable to such Rate or Assessment in proportion to the Time that he or she occupied the same; and in all Cases where any Person shall come into or occupy any Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament rated or assessed as aforesaid, out of or from which any other Person who shall have been rated or assessed for the same shall be removed, or which at the Time of making any Rate or Assessment was empty or unoccupied, the Person coming into or occupying the same shall be liable to pay such Rate or Assessment in respect thereof, in proportion to the Time that he or she occupied the same, which said respective Proportions, in case of Dispute, shall be settled and ascertained by the said Commissioners.

How Houses are to be rated which are let at small Rents, and for the better Recovery of the Rates.

IX. And be it further enacted, That when the yearly Rent or Value of any Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament within the said Limits shall not exceed Twenty Pounds, or where any House, Tenement, or Hereditament shall be let to any weekly or monthly Tenants, or in separate Apartments, furnished or unfurnished, and the Rents thereof shall become payable, and be collected at any shorter Period than quarterly, then and in every such Case (but subject to the Proviso herein-after contained) it shall and may be lawful to and for the Alderman or his Deputy, and the major Part of the Common Councilmen of the Ward respectively, or the said Commissioners, to compound, if they shall think proper, with the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors of all and every or any such Land, House, Shop, Warehouse, Cellar, Vault, Tenement, or Hereditament within the said Limits, for the Payment of the Rate or Rates, Assessment or Assessments to be made by virtue of this Act, at such a reduced yearly Rental as the said Commissioners shall think reasonable; so that no such Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament be rated at less than Two-thirds, or more than Four-fifths of the Rack Rent at which the same respectively shall then be let, or of the annual Value of the said Premises respectively; and the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors of all such Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments, as shall not exceed the yearly Rent of Twenty Pounds, or as shall be let to any weekly or monthly Tenant,

or in separate Apartments, furnished or unfurnished as aforesaid, and the several Rents whereof shall become due, and be collected at any shorter Period than quarterly, is and are hereby required to enter into such Composition with the said Commissioners; and in case such Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors, shall refuse to enter into such Composition, he, she, or they shall from thenceforth be rated to and from Time shall pay or cause to be paid the Rates or Assessments charged upon their respective Premises, by virtue of the said recited Acts and this Act, unto the Collector or Collectors for the Time being, who is and are hereby authorized and empowered to receive and collect the same, and upon Nonpayment thereof, or of the Amount of such Composition, to levy the same by Distress and Sale of the Goods and Chattels of the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors of the respective Premises aforesaid, wheresoever they may be found, or of the Person or Persons inhabiting the same respectively, in such manner as by this Act is provided for the Recovery of the Rates in other Cases: Provided always, that no such Landlord, Owner, Lessee or Proprietor shall be charged with or liable to pay for any increased Rent reserved or made payable to him for or on account of such Landlord, Owner, Lessee, or Proprietor, having agreed to pay the Rates heretofore chargeable upon the several Occupiers of such Premises; and provided also, that the Goods and Chattels of all and every Person or Persons renting or occupying any such House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament, or any Part or Parts thereof, the Rate or Rates, Assessment or Assessments whereof the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors, is and are hereby made liable and subject to as aforesaid, shall be liable at all Times to be distrained and sold for Payment of such of the said Rates or Assessments, and of all Arrears thereof, as become due upon the said Premises, during the Time of his, her, or their Occupancy only; but no such Occupier or Occupiers shall at any Time be required to pay, or be subject or liable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, and Arrears thereof, than the Amount of the Rent actually due or payable by such Occupier or Occupiers to the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors of the Premises so occupied by him, her, or them: Provided also, that each and every Occupier who shall pay any such Rate or Rates, Assessment or Assessments, or any Arrears thereof, or upon whom the same shall be levied, shall and may from Time to Time deduct the same from the Rent due and payable from him, her, or them, to the respective Landlords, Owners, Lessees, or Proprietors of the Premises, unless there shall be some Agreement to the contrary between the Landlord and Tenant; and the Receipt for such Payment shall be a sufficient Discharge to such Occupiers, and his, her, or their Landlord or Landlords, for so much Money as he, she, or they shall pay in the Manner directed by this Act: Provided also, that when the yearly Rent or Value of any House which shall be let out furnished, either altogether or in separate Apartments, shall exceed Twenty Pounds *per Annum*, it shall not be lawful for the said Commissioners, upon such Composition being made as aforesaid, to take less than the full Amount of the Rate or Rates which shall be assessed in respect of such House; but nevertheless such Composition shall be made in

Manner

Manner aforesaid, for Payment of the whole of such Rate, with and by the Landlord, Owner, Lessee, or Proprietor of the said Premises.

Composition for Rates to remain till altered by the Alderman, &c.

X. And be it further enacted, That from and after any Composition at a reduced Rate shall have been made as herein-before is mentioned, the Land, House, Shop, Warehouse, Cellar, Vault, Tenement, or Hereditament therein comprised, shall be rated and assessed according to the same reduced Rental, until the Alderman or his Deputy, or the major Part of the Common Councilmen of the Ward or District respectively, or the said Commissioners, shall think proper otherwise to rate and assess the said Premises, and without any Notice to be given to the Landlord, Owner, or Lessee of the same.

Persons receiving Rents to be deemed Owners.

XI. And in order to prevent Disputes touching the Designation of Owner or Landlord, Lessee or Proprietor of Land, Houses, Shops, Warehouses, Cellars, Vaults, Tenements, or Hereditaments within the Limits of this Act; be it further enacted, That the Person or Persons legally authorized and empowered to receive and collect, or receiving and collecting, or claiming to be entitled to receive and collect the Rents of any Land, Houses, Shops, Warehouses, Cellars, Vaults, Tenements, or Hereditaments, from the Tenants or actual Occupiers thereof, or any of them, shall be deemed and taken for the several Purposes of this Act and every of them to be the Owner or Owners, Landlord or Landlords, Proprietor or Proprietors thereof; and in all Cases in which either Owners or Landlords, Lessees or Proprietors are made liable by this Act, such Person or Persons respectively so authorized and empowered to receive and collect, or receiving and collecting, or claiming to be entitled to receive and collect the Rents of any such Land, Houses, Shops, Warehouses, Cellars, Vaults, Tenements, or Hereditaments, from the Tenants or actual Occupiers thereof, or any of them, shall be liable as Owner or Owners, Landlord or Landlords, Lessee or Lessees, Proprietor or Proprietors thereof, unless the real Owner or Owners, Landlord or Landlords, Lessee or Lessees, Proprietor or Proprietors, shall be declared by himself, herself, or themselves, or unless the real Owner or Owners, Landlord or Landlords, Proprietor or Proprietors, shall be distinctly and certainly known to be such, to the Satisfaction of the said Commissioners, and such Receiver or Collector of such Rents is hereby authorized to pay the said Rates and Assessments charged and payable for and on account of the respective Premises, and to deduct the same out of the Rents received or to be received by him.

Ready-furnished Houses how assessed.

XII. And be it further enacted, That the Lessee, Landlord, or Owner of all other Houses, Shops, Warehouses, Cellars, Vaults, Tenements, or Hereditaments, over and above the said yearly Rent of Twenty Pounds, within the Limits of this Act, which is or shall or may be let out ready-furnished to a Lodger or Lodgers, or furnished or unfurnished, in separate Apartments, for Counting Houses or other Purposes, shall be deemed and taken to be the Occupier thereof, for the Purposes of this Act, and shall be liable and subject to the Rates or Assessments directed by this Act to be made, raised, and levied, according to the yearly Value of the Premises, and that every Person renting or occupying any such ready furnished House as aforesaid, or any Apartment or Apartments of any House, shall be liable and compellable to pay the said Rates and Assessments,

ments, to be recovered in Manner herein directed; and the Collector or Collectors for the Time being thereof is and are hereby authorized and empowered, upon Nonpayment thereof, to levy the same by Distress and Sale of the Goods and Chattels of the Lessee, Landlord, or Owner of the said Premises, wheresoever they may be found, or of the Person or Persons occupying or renting the same, in such Manner as by this Act is provided for the Recovery of the Rates in other Places; and that every such respective Occupier or Occupiers who shall pay any such Rates or Assessments, or from whom the same shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the next Rent due and payable from him or them, to such respective Lessee, Landlord, or Owner, and the Receipt for such Payment shall be a sufficient Discharge for such Tenant or Tenants, Occupier or Occupiers, to his, her, or their Landlord, for so much Money as he, she, or they shall pay, or shall be levied on him, her, or them by virtue of this Act; but no such Lodger or Lodgers shall at any Time be required to pay or be subject or liable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, and Arrears thereof, than the Amount of the Rents actually due and payable by such Lodger or Lodgers to the Lessee, Landlord, or Owner of the Premises so let out ready furnished to him, her, or them; provided always, that nothing herein contained shall extend to prejudice or vacate any Agreement between Landlords and Tenants.

Rates how recovered.

XIII. And be it further enacted, That in case at any Time or Times hereafter, any Owner or Owners, or Occupier or Occupiers of any Land, House, Shop, Warehouse, Cellar, Vault, Tenement, or Hereditament within the Limits of this Act, for and in respect whereof he or they shall be rated or assessed, or liable to pay any Rate or Assessment made or to be made to and for the Purposes of the said recited Acts and this Act, shall refuse or neglect to pay the Money rated and assessed upon him or them respectively, or which he or they may be liable to pay by virtue of the said recited Acts and this Act, and all Arrears, it shall be lawful for any One of the Aldermen or Justices of the Peace for the City, County, or Place within which such Land, House, Shop, Warehouse, Cellar, Vault, Tenement, or Hereditament shall be situate, and he is hereby authorized and directed, by Writing under his Hand, on Complaint made by the said Commissioners, or any One or more of them, or any Officer or other Person appointed by them, to summon all and every Person and Persons who shall have refused and neglected as aforesaid, to appear at a Time and Place to be mentioned in such Summons, before such Alderman or Justice, or before any Alderman or Aldermen, Justice or Justices, who shall be then and there present, the Collector or Collectors of such Rates or Assessments having previously made Oath that he or they had duly demanded the said Rates or Assessments, and that the same were then in Arrear and unpaid, and it shall be lawful for any Person authorized by the said Commissioners to serve all and every such Summons and Summonses upon all and every Persons and Person so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person or Persons thereby intended to be summoned, or by leaving the same at his or their last or usual Place or Places of Abode, or at or on the Premises for or in respect whereof the Rate or Rates, Assessment or Assessments mentioned in such Summons shall remain due and owing; and if any

Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he or they shall attend, and shall not shew good and sufficient Cause to such Alderman or Aldermen, Justice or Justices, as may be then and there present, that he or they is or are not chargeable with such Rate or Rates, Assessment or Assessments, then and in every such Case, every such Person or Persons shall pay the Rate or Rates in respect of which such Summons was issued, and also the Costs and Charges of such Summons; and in all Cases where such Rate or Rates, Assessment or Assessments, or any of them, shall not be paid upon such Return of Summons, it shall be lawful for any Alderman or Justice of the City, County, or Place within which the Premises shall be situate, and he is hereby authorized and required, upon Oath made before him of the due Service of such Summons or Summonses, by the Person who shall have served the same, and Proof on Oath that such Rate or Rates, Assessment or Assessments is or are actually due and owing, if the Person or Persons shall not attend; and if the Person or Persons shall attend, and not shew sufficient Cause to the contrary as aforesaid, then upon such Proof that such Rate or Rates, Assessment or Assessments is or are actually due, to grant a Warrant under his Hand and Seal, authorizing or directing any Person to levy such Rate or Rates, Assessment or Assessments, and all Arrears thereof, and the said Costs and Charges of the Summons (if the same shall not have been paid before), and the Costs and Charges of every such Warrant, and also the Costs, Charges, and Expences of executing the same, by Distress of the Goods and Chattels of the Person or Persons so neglecting or refusing; and if within Five Days next after any Distress shall be made, the said Rate or Rates, Assessment or Assessments, with all Arrears due thereon, together with all the said Charges for the said Warrant, and the Charges and Expences of executing the same Warrant, and of making such Distress, and of keeping such Goods and Chattels, shall not be paid, then the Person authorized by the said Warrant shall cause the said Goods and Chattels to be appraised, and to be sold either on the Premises where the same shall be distrained or elsewhere, or such Part or Parts thereof as in his or their Judgment shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, together with all Arrears due thereon, and the said Costs, Charges, and Expences of the said Summons, Warrant, Distress, Removal, or keeping Possession of such Goods and Chattels so distrained, and the reasonable Costs, Charges, and Expences of appraising and selling the same, and shall return the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him or them; and in case no such Goods and Chattels can be found to be distrained by virtue of any such Warrant, or in case any such Goods and Chattels shall be locked up or secured, or shall be removed so that such Person appointed to collect the said Rates or Assessments as aforesaid cannot distrain the same; or in case, after such Distress and Appraisement or Sale, as herein-before are directed, the Proceeds thereof shall not be sufficient to pay such Rates or Assessments, with the Arrears due thereon, and all the said Costs, Charges, and Expences as aforesaid, then and in any such Case, upon Information thereof given to any Alderman or Justice of the City, County, or Place in which the Premises shall be situate, it shall be lawful to and for any such Alderman or Justice, and he is hereby authorized and required, to issue a Warrant under his Hand and Seal for the Apprehension of any such Person or Persons making Default in the Payment of such Rates or

or Assessments, and the Arrears thereof, or of any Part thereof, and of such Costs, Charges, and Expences, or any of them, and to commit such Person or Persons to the Common Gaol or House of Correction for the said City, County, or Place where the Premises shall be situate, there to remain without Bail or Mainprize for any Time not exceeding the Space of One Calendar Month, unless such Rates or Assessments, and all Arrears thereof, and all Costs, Charges, and Expences, or so much thereof as shall remain unsatisfied by any such Distress or Distresses, or otherwise, shall be sooner paid.

Constables to assist in such Levy.

XIV. And be it further enacted, That in all Cases where a Distress is authorized to be made by the said recited Acts or by this Act, if any Constable or Headborough of any Ward, Parish, or Place within which such District shall be situate, or of any other Ward, Parish, or Place where such Distress is to be made, upon being required by any Person appointed to collect any Rates or Assessments, or by any other Person, (who shall have obtained a Warrant of Distress from any Alderman or Justice), shall refuse or neglect to aid or assist in making a Distress and Sale, pursuant to such Warrant, every such Constable or Headborough shall, for every such Offence, forfeit and pay any Sum not exceeding the Sum of Five Pounds, to be recovered in the same Manner as Penalties and Forfeitures are directed to recovered by virtue of the said recited Acts and this Act.

Form of Warrant of Distress.

XV. And be it further enacted, That every Warrant of Distress for Non-payment of any Rates or Assessments, or Composition to be made by virtue of this Act, shall be in the Words or to the Effect following:

'London, } TO the Collector of the Rates for paving, cleansing, and
'to wit. } lighting the City of *London*, and Liberties, and for making,
'enlarging, widening, deepening, altering, and removing the Common
'Sewers, public Drains, and Vaults within the same, and to all Constables,
'Headboroughs, Beadles, and Peace Officers, for the said City or County
'of *Middlesex* [*as the Case may be*]: Whereas the under or hereafter
'mentioned Person, [*or* Persons, *if more than one*] now or late an Owner
'or Occupier [*or* Owners or Occupiers, *if more than one*] of Land, or
'a House, Shop, Warehouse, Cellar, Vault, or Tenement, [*or* of Lands,
'Houses, Shops, Warehouses, Cellars, Vaults, or Tenements, *if more*
'*than one Person be included in the Warrant*], or other Hereditaments,
'or Parts of Lands, Houses, Shops, Warehouses, Cellars, Vaults, or
'Tenements within the said [*insert the Name of the Ward or District*]
'was and is, [*or* were and are, *as the Case may be*] rated and assessed,
'or is or are [*as the Case may be*] liable to the Payment of the Sum or
'Sums of Money set at and opposite to his or their respective Name or
'Names [*as the Case may be*] hereunder written, by virtue of a Rate or
'Rates duly made, under and by virtue of certain Acts passed in the
'Eleventh and Thirty-third Years of the Reign of King *George* the Third,
'and the Fourth Year of the Reign of King *George* the Fourth [*set forth*
'*the Title of the said recited Acts and this Act*]: And whereas the said
'Person or Persons has or have [*as the Case may be.*] refused or neglected
'to pay the Sum, or the several Sums of Money set at and opposite his
'or their Name or Names [*as the Case may be*] hereunder written, due
'from him or them by virtue of such Rate or Rates [*as the Case may*
'*be*],

'*be*], and the said several Sum and Sums of Money is or are [*as the Case* '*may be*] still remaining due and unpaid, as appeareth upon Oath to me, 'one of the Aldermen of the said City, or Justice of the Peace for the 'said County [*as the Case may be*], and the said several Person or Per-'sons [*as the Case may be*] having been summoned to appear to answer 'the Premises, as also appeareth to me the said Alderman or Justice, 'upon Oath, and neither he or they, nor either of them [*as the Case* '*may be*], having shown any sufficient Cause why such Sum or Sums of 'Money [*as the Case may be*] should not be paid by him or them respec-'tively [*as the Case may be*], as also appeareth to me upon Oath: Now 'these are, therefore, in His Majesty's Name, to will and require you, 'or either of you, forthwith to levy the said Sum, or several Sums of 'Money [*as the Case may be*] due from the said Person or Persons [*as* '*the Case may be*] and hereunder or hereafter set at and opposite to his 'or their Names respectively [*as the Case may be*], and also the Two several 'Sums of [*inserting the Amount of the Costs and Charges for the Summons,* '*and for the Warrant, or for either of them, as the Case may be*] for the 'Costs and Charges of the said Summons, and of these Presents, by 'Distress and Sale of his or their respective Goods and Chattels [*as the* '*Case may be*], such Goods and Chattels being kept for the Space of Five 'Days before the same are sold, rendering to him or them respectively '[*as the Case may be*] the Overplus (if any) on Demand, and the reason-'able Charges of such Distress, and of any Removal, or Keeping, Pos-'session, Appraisement, or Sale thereof, being first deducted; and if no 'sufficient Distress can be had or taken, that then you certify the same 'to me, to the end such Proceedings may be had therein as to the Law 'doth appertain: And I do hereby strictly charge and command all 'and singular the Constables, Headboroughs, and other His Majesty's 'Peace Officers for the said City or County [*as the Case may be*] to be 'aiding and assisting in all things relating to the Premises. Given 'under my Hand and Seal, this Day of in 'the Year of our Lord

	£	s.	d.
'*A. B.* - - - - - -			
'*C. D.* - - - - - -			
'*E. F.* (the Landlord for divided Premises) -			
'*G. H.* Landlord for in compounded for - -			
'*K. L.* Tenant.			

In Cases of Persons removing Goods, how Rates to be recovered.

XVI. And, for the better enforcing the Payment of the Rates or Assessments to be made by virtue of this Act, be it further enacted, That if any Person or Persons liable to pay any of the said Rates or Assessments, shall at any Time begin to remove his, her, or their Goods or Furniture from the Land, House, Shop, Warehouse, Cellar, Vault, Tenement, or Hereditament in his, her, or their Occupation, within the Limits of this Act, or to sell or dispose of such Goods or Furniture therein by public Auction, or to sell or dispose of or carry away his, her, or their Goods or Furniture as aforesaid, without paying all Arrears then due or rated in respect of such Premises, in which the current Quarter shall be considered as due, that then and in any of the said Cases, it shall be lawful for the said Collector for the Time being to the said Commissioners to collect and levy such Rates or Assessments, and all Arrears due thereon (the Rate or Assessment for such Quarter wherein such Removal or Sale shall

begin to be made as aforesaid to be considered as due, although previous to the Time for Payment of the Rate or Assessment for such Quarter), by Distress and Sale of the Goods and Chattels of the Party so beginning to remove, sell, or take away any such Goods or Furniture as aforesaid; and if within Five Days next after such Distress shall be made, the said Rates or Assessments, and all Arrears due thereon, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, the said Collector shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient to pay such Rates or Assessments, together with all Arrears due thereon, and the reasonable Charge of making such Distress, and of keeping and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively.

Actions may be brought for Rates.

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

Rate Books to be received as Evidence.

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

Rates may be remitted on account of Poverty.

XIX. And be it further enacted, That it shall and may be lawful from Time to Time and at all Times hereafter, for the said Commissioners, and they are hereby empowered, upon the Complaint of any Person or Persons subject to the Payment of any Rate or Rates, Assessment or Assessments, made or to be made by virtue of the said recited Acts or this Act, who shall think himself, herself, or themselves aggrieved thereby, or incompetent to pay the same, to mitigate, reduce, or lessen the same, as they in their Discretion shall think just and reasonable; and also to remit or excuse the Payment thereof for any Cause which they shall deem sufficient, or for or on account of the Poverty or Indigence of any Person or Persons liable to pay the same so complaining.

Power of recovering Rates from Bankrupts Estates, repealed.

XX. And whereas by the said recited Act of the Eleventh Year of the Reign of His said late Majesty, it is enacted, that if any Person or Persons who should be liable to pay any Rate or Assessment to be made by virtue or in pursuance of the said Act, should become a Bankrupt or Bankrupts before

before he, she, or they should have fully paid and satisfied all the Money then due and owing for such Rates and Assessments, then and in every such Case, the Assignee or Assignees of his, her, or their Estate and Effects, or other Person or Persons possessing the same, should out of such Estate and Effects, after paying to the Petitioning Creditor or Creditors his, her, or their Costs of suing out and prosecuting the Commission against any such Bankrupt or Bankrupts, in the next Place, pay unto the Chamberlain of the said City of *London* for the Time being all such Sums of Money as were due for such Rates and Assessments at the Time of the suing out any such Commission against him, her, or them respectively, or so much thereof as the said Estates and Effects would extend to pay; and the Receipt of the said Chamberlain should be a good Discharge for the said Money; and every Assignee and Assignees, or other Person as aforesaid, might, to any Action or Suit commenced or brought against him, her, or them, plead or give in Evidence the Payment of the same, and should be allowed such Payment out of the Estate and Effects of such Bankrupt or Bankrupts, prior to any other Debt or Demand whatsoever (except as before is excepted); and in case of Nonpayment of the same by the Space of One Calendar Month after the same should be demanded, it should and might be lawful to and for the said Commissioners to commence and prosecute One or more Action or Actions, Suit or Suits, for the same, in the Name of the principal Clerk of the said Commissioners for the Time being, in any of His Majesty's Courts of Record at *Westminster*, or within the said City, against such Assignee or Assignees, or other Persons as aforesaid; be it further enacted, That the said Provision lastly herein-before recited shall be and the same is hereby repealed.

Owners and Occupiers of Markets to be subject to the same Payments as Farmers or Lessees.

XXI. And be it further enacted, That the Owners and Occupiers of such Public Markets within the said City and Liberties, as for the Time being shall not be let on Farm or Lease, their Heirs, Successors, Executors, Administrators, and Assigns, shall be subject to the Payment of the same or the like Sums of Money as the Farmers or Lessees of such Markets respectively, their Executors, Administrators, and Assigns, would have been liable to by virtue of the said recited Acts and this Act, if the same respectively had been let on Lease or Farm; and such Sums of Money shall and may be recovered from the said Owners or Occupiers, their Heirs, Successors, Executors, Administrators, or Assigns, and may be compounded for by them in like manner as the same might have been recovered and might have been compounded for by such Farmers or Lessees, their Executors, Administrators, and Assigns.

Charges of Ward and Vestry Clerks to be paid out of the Rates.

XXII. And be it further enacted, That all the reasonable Costs and Charges of the respective Clerks of the Wardmotes and Vestries within the said City and Liberties thereof, for making out Books, Duplicates, and Copies of the Rates by the said recited Acts and this Act authorized to be assessed, or in anywise relating thereto, to be ascertained and allowed by the said Commissioners, shall be paid by the said Commissioners by and out of the said Rates.

Acts extended to Broker Row, Moorfields.

XXIII. And be it further enacted, That the several Powers and Authorities vested in the said Commissioners by the said recited Acts and this Act, and all the Provisions and Regulations in the said recited Acts and this Act established, declared, and provided, for the Purposes of paving,

cleansing, and lighting the said City and the Liberties thereof, and of making, enlarging, widening, deepening, altering, and removing all or any of the said Public Sewers, Drains, and Vaults within the same, and removing Encroachments, Projections, and Annoyances, and all other Powers and Provisions whatsoever, shall respectively extend, and shall be in force and in all respects be executed by the Commissioners within the Street or Place called the North Side of *Broker-row*, *Moorfields*, which is or is supposed to be out of the Liberties of the said City of *London*, and the Courts and Alleys leading into the same or communicating therewith; and the Inhabitants of the several Parts and Places as aforesaid shall be rated and assessed according to the Provisions by the said recited Acts and this Act made, by the Alderman of the Ward next adjoining to the same respectively, or by his Deputy, with the major Part of his Common Councilmen.

The Powers of the Commissioners to remove Projections extended to Holborn and other Places without the Liberties.

XXIV. And be it further enacted, That the said Commissioners shall have such and the like Power or Powers of causing to be removed all Signs, Emblems, Sign Posts, Sign Irons, Balconies, Penthouses, Shew-boards, Spouts, and Gutters, and all other Encroachments, Projections, and Annoyances whatsoever, within the Parts of *Holborn*, the *Minories*, and *Aldersgate Street*, supposed to be out of the Liberties of the City of *London*, which are within the Limits of the said recited Acts and this Act, as by the said recited Acts or either of them is or are vested in them for causing the same to be removed within the said City of *London* and the Liberties thereof.

How Penalty on a Collector not executing his Office is to be recovered and applied.

XXV. And be it further enacted, That the Penalty or Sum of Fifty Pounds, directed by the said recited Act of the Eleventh Year of the Reign of His late Majesty to be forfeited and paid by any Person elected or chosen Collector of the said Rates or Assessments, or such Sum or Sums of Money as shall remain due and unpaid thereof, who shall refuse to take the Oath, or, being one of the Persons called *Quakers*, to make the Affirmation in the said Act mentioned, or to take upon himself the said Office, or after having taken upon himself the said Office, shall refuse or neglect to serve and execute the same, according to the true Intent and Meaning of the said Acts and of this Act, shall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, in the Name of any one of the Clerks to the said Commissioners for the Time being, in which Action or Suit no Protection, Essoign, or Wager of Law, or more than One Imparlance shall be allowed, and shall be applied towards the Purposes of the said recited Acts and this Act, or any of them.

Names of Inspectors to be painted on their Doors.

XXVI. And be it further enacted, That every Person appointed an Inspector of Pavements, or to be appointed from Time to Time by the said Commissioners to act as an Inspector of Pavements within the said City or Liberties thereof, shall reside within the District of the said City or the Liberties thereof to which he is appointed, and shall and he is hereby required, within Fourteen Days after the passing of this Act, or within Seven Days next after his Appointment (as the Case may be), to cause to be painted in Oil Colours, in a conspicuous Manner, on the Door of his Dwelling House or Office, his Christian and Surname, and the Title of his Office, and the Name of the District or Place to which he shall be appointed

pointed respectively; and such Inscriptions shall be painted in Roman Letters, at least One Inch in Height; and such Inscriptions shall be renewed or repaired and repainted as often as occasion shall require; and if any Person appointed or to be appointed Inspector as aforesaid shall refuse or neglect to cause such Inscription to be painted, or to be renewed when necessary, he shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Penalty on Inspectors and Officers neglecting or misbehaving themselves in their Duty.

XXVII. And be it further enacted, That every Inspector or other Officer appointed or authorized, or to be appointed or authorized by the said Commissioners to act in the Execution of the said recited Acts or this Act, who shall neglect any of the Duties of his Office, or shall wilfully misbehave himself in the Execution thereof, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Commissioners to pave new Streets, on One-third of the estimated Expence being paid by the Owners.

XXVIII. And be it further enacted, That in case the Owners of any Houses or Buildings, forming the principal Part of any new Street, Lane, Square, Yard, Court, Alley, Passage, or Place, laid out or made, or hereafter to be laid out or made within the said City or Liberties, which has not previously been paved or repaired by or under the Direction of the said Commissioners, shall be desirous of having the same paved, or if the said Commissioners shall deem it expedient or necessary that the same should be paved, then and in either of such Cases it shall and may be lawful to and for the said Commissioners of Sewers, and they are hereby required, as soon as conveniently may be after any such new or other Street, Lane, Square, Yard, Court, Alley, Passage or Place, or the Site thereof, shall be prepared and appropriated for the public Use, to lay out the Ground for proper Carriage Ways and Foot Ways, and well and sufficiently to pave the same, and from Time to Time to keep such Pavement in good and sufficient Repair; and the Owners of the Houses and Buildings forming the principal Part of such new Street, Lane, Square, Yard, Court, Alley, Passage or Place, shall on Demand pay to the said Commissioners one equal Third Part of the Amount of the estimated Expences of providing and laying such Pavement (such Amount to be determined by the Surveyor for the Time being of the said Commissioners); and in Default of Payment thereof, the same shall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, or within the said City; in which Action or Suit no Protection, Essoign, or Wager of Law, or more than One Imparlance shall be allowed; and the Charges of such Paving, or so much as shall be necessary, in addition to the Third Part of the estimated Expence to be paid to the said Commissioners as aforesaid, and of repairing such Pavement, shall be defrayed out of the Rates to be raised by virtue of the said recited Acts and this Act.

Providing for Payment of Difference between the Estimate and the actual Expence of paving new Streets, &c.

XXIX. And be it further enacted, That in case the Sum of Money to be paid as the One-third Part of the Amount of the estimated Expences of providing and laying the Pavement of any such new Street, Lane, Square, Yard, Court, Alley, Passage, or Place, as herein-before is mentioned, shall exceed One equal Third Part of the actual Charges of such Paving, then a Sum of Money equal to the Difference between the Third Part of such estimated Expences and the Third Part of such actual Charges, shall be repaid by the said Commissioners to the Owners of

of Houses and Buildings by whom the said Sum of Money shall have been paid; and in case the Sum of Money to be paid as aforesaid shall be less than One-third Part of the actual Charges of such Paving, then and in such Case the Owners of the Houses and Buildings by whom such Sum shall have been paid, shall, on Demand, pay to the said Commissioners such further Sum of Money as, together with the Sum which shall have been paid, shall amount or be equal to One equal Third Part of the actual Amount of such Paving respectively, which further Sum may be recovered in like Manner as herein-before is directed for the Recovery of the said One-third Part of the said estimated Expences.

Commissioners to pave Parts of the Sites of Houses laid into any any Street, previously paved by them, for widening and improving it.

XXX. And be it further enacted, That if at any Time or Times after the passing of this Act, any Houses and Buildings situate in any Street, Lane, Square, Yard, Court, Alley, Passage, or Place, within the said City and Liberties, which hath heretofore been paved or repaired by or under the Direction of the said Commissioners, shall be taken down for the Purpose of laying the Sites or any Part of the Sites thereof, or of the Yards and Appurtenances belonging thereto, into such public Street, Lane, Square, Yard, Court, Alley, Passage, or Place, for widening, enlarging and improving the same, then and in any such Case it shall and may be lawful to and for the said Commissioners of Sewers, and they are hereby required, as soon as conveniently may be after such Sites or Parts thereof, or of the Yards and Appurtenances belonging thereto, shall be prepared and appropriated for the public Use, to lay out the same for proper Carriage-ways and Footways, and well and sufficiently to pave the same, and from Time to Time to keep the Pavement so to be laid in good and sufficient Repair, and to defray the Charges of such paving and repairing out of the Rates directed to be raised by virtue of the said recited Acts and this Act.

Pavement in principal Streets to be taken up and laid down within certain Hours.

XXXI. And be it further enacted, That no Pavement in the Carriage or Footways of the Streets and Places herein-after next mentioned (that is to say), *Aldgate High Street* between *Whitechapel Bars* and *Leadenhall Street*, *Leadenhall Street*, *Cornhill*, *Mansion House Street*, the *Poultry*, *Cheapside*, *Saint Paul's Church-yard*, *Ludgate Street*, *Ludgate Hill* and *Fleet Street*, to *Temple Bar*, so as to include the whole Line of Street from *Whitechapel Bars* to *Temple Bar* aforesaid, *Gracechurch Street*, *Fish-street Hill* and *London Bridge*, so as to include the whole Line of Street from the North End of *Gracechurch Street* to the South End of *London Bridge* aforesaid, *Queen Street Cheapside*, from the North End thereof to *Thames Street*, *Bridge Street Blackfriars*, from the North End thereof to the South End of *Blackfriars Bridge*, *Upper* and *Lower Thames Street*, *Lombard Street*, the *Old Bailey*, between the End of *Fleet Lane* and *Ludgate Hill*, *Barbican*, and *Long Lane*, between *Redcross Street*, crossing *Aldersgate Street*, to *Smithfield*, shall be broken, or taken up, or laid down, or repaired, except between the Hours of Six of the Clock in the Evening and Eight of the Clock in the Morning; and that no more Pavement shall be taken up in any One Night and Morning, for the Purpose of repairing or altering the same, or for any other Purpose (except as herein-after is mentioned) than can be completely repaired and altered, or the Stones thereof replaced, so that Persons or Carriages may safely and conveniently pass over the same before Eight of the Clock in the Morning after the Night that the same shall have been taken up; and if any

Paviour or other Person shall break or take up any such Pavement, or lay down or repair the same at any other Time, or shall not (except as after mentioned) repair, alter, and repave or replace the same as aforesaid, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Commissioners may authorize Pavements to be kept open in certain Cases.

XXXII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, by Writing signed by One of their Clerks, from Time to Time to authorize any Person or Persons to keep open any such Pavement as aforesaid, for such Time as shall be specified in such Writing respectively, for the Purpose of repairing a Sewer, or for any other Purpose which cannot possibly be completed before Eight of the Clock in the Morning: Provided also, that in every Case in which there shall be an immediate and urgent Necessity to take up or continue open after Eight of the Clock in the Morning any of the Pavements in any of the said Streets, it shall be lawful for the major Part of such of the said Commissioners as shall reside in the Ward within which such Pavement shall be situate, by Writing under their Hands, to authorize such Pavement to be taken up or continued open; and the Commissioners giving such Authority shall and they are hereby required to give a written Report of their Proceedings in such Case respectively to the said Commissioners, at the first Meeting to be held by them after such Authority shall have been given; but no such Authority shall continue in force for a longer Time than until the first Meeting of the Commissioners after the same shall have been given.

Provisions as to Water Companies extended to Gas Companies.

XXXIII. And be it further enacted, That all the Provisions, Powers, Authorities, Pains, Penalties, and Forfeitures, in and by the said recited Acts contained, for enforcing the Repair of the Pavements damaged or injured by means of the breaking, bursting, or want of Repair of any Pipe or Pipes laid under the Surface of the Pavements in any of the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places within the said City and Liberties, belonging to the New River Company, or any other Water Company, shall be and they are hereby extended to and shall be carried into effect with respect to all and every Gas Light Company established or hereafter to be established, and to any other Company, Person or Persons, to whom any such Pipe or Pipes laid under the Surface of the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places within the Limits of this Act shall belong, and which shall happen to burst, break, or be otherwise damaged, or where the Pavement may be broken or taken up for the Purpose of repairing or amending any such Pipe or Pipes.

Commissioners to direct Pavements injured by Water or Gas Pipes to be repaired.

XXXIV. And for the more speedy and effectual repairing and relaying the Pavements of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places within the said City and Liberties, which shall at any Time hereafter happen to be sunk, broken, injured, or damaged by reason or means of the breaking, bursting, or want of Repair of any Pipe or Pipes belonging to any Water or Gas Light Company, and laid beneath the Surface of such Pavements, or of relaying or repairing any such Pavements which shall be broken or taken up for the Purpose of

repairing or amending any such Pipe or Pipes; be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, or any One of their Clerks or Surveyor for the Time being, if the said Commissioners shall deem it proper and expedient, to cause Notice to be given to the Water or Gas Light Company, to whom it may appear such Pipe or Pipes shall belong, or otherwise to the Paviour or Paviours of such Water or Gas Light Company, or to cause a Copy of such Notice to be left at the Office or Counting House of such Water or Gas Light Company, or at the last Place of Abode of such Paviour or Paviours, forthwith well and sufficiently to repair and make good such Pavements; and if any Water or Gas Light Company, or the Paviour or Paviours of such Water or Gas Light Company, to or for whom such Notice or Copy thereof shall be given or left as aforesaid, shall not, within Twenty-four Hours next after such Notice so given or left to or for them or him as aforesaid, take up such Pavement, and well and sufficiently repair and amend such Pipe or Pipes, and cause the Ground to be well and sufficiently filled in and rammed down, and the said Pavement to be relaid and repaved, to the Satisfaction of the said Commissioners, or of their Surveyor for the Time being, then such Water or Gas Light Company, or the Paviour or Paviours of such Water or Gas Light Company, to or for whom such Notice or a Copy thereof shall be given or left as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Company opening the Ground to repair a Pipe which shall be discovered to belong to another Company, to give Notice to such Company, and to be reimbursed Expences.

XXXV. And be it further enacted, That in case it shall happen, or it shall be discovered, after any Pavement in any of the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, within the said City or Liberties, shall have been taken up by any such Water or Gas Light Company, or the Paviour or Paviours of such Water or Gas Light Company, and the Ground shall have been opened, that the Pipe or Pipes beneath the Surface of such Pavements required to be repaired and amended shall not belong to the Water or Gas Light Company to whom or to whose Paviour or Paviours such Notice, or a Copy thereof, shall be given or left as aforesaid, but to some other Water or Gas Light Company, then such first-mentioned Water or Gas Light Company, or the Paviour or Paviours of such Water or Gas Light Company, to or for whom such Notice, or a Copy thereof, shall have been given to or left as aforesaid, shall, within Twenty-four Hours after such Discovery, cause a Copy of such Notice to be in like Manner given or left for the Water or Gas Light Company to whom such Pipe or Pipes shall belong, or their Paviour or Paviours, and require them or him to obey, conform, and comply with the original Notice, instead of the Company or Paviour to or for whom such original Notice shall have been given or left as aforesaid; and such other Company or Paviour, to or for whom such last-mentioned Notice shall have been given or left as aforesaid, shall reimburse and pay on Demand, to the first-mentioned Company, the reasonable Costs and Charges incurred in and about the taking up of the Pavements and opening the Ground; and the said last-mentioned Company, or their Paviour, to or for whom such last-mentioned Notice shall have been given or left as aforesaid, shall obey, execute, and perform the said original Notice, in such and the same Manner, and within such and the same Time, in all respects, as if the said original Notice had been given

given to or left for such last-mentioned Company, or the Paviour of such last-mentioned Company; and they or he shall be liable to incur the same Penalties and Forfeitures on Neglect so to do, as they or he would have incurred and been liable to if the said original Notice had been given or left to or for them or him, in manner before directed with respect to such first-mentioned Company, or Paviour or Paviours; and that the Company or Paviour, by whom such Pavements shall have been first taken up, and shall have opened the Ground, who shall neglect to give the Notice hereby required to the Company to whom such Pipe or Pipes shall actually belong, or to their Paviour or Paviours, shall, for every such Neglect and Offence, forfeit and pay any Sum not exceeding Twenty Pounds.

All Works exceeding the estimated Expence of 50*l.* to be contracted for.

XXXVI. And be it further enacted, That all Works for the Performance of which the said Commissioners are authorized to contract by the said recited Acts, or either of them, or this Act, shall be performed by Contract, to be made in the Manner directed by the said recited Act, passed in the Eleventh Year of His said late Majesty's Reign, and not in any other Manner, except any Works respectively, the Expences of employing Persons to perform which will not, in the Opinion of the Surveyor for the Time being of the said Commissioners, exceed in Amount the Sum of Fifty Pounds.

Commissioners may compound for Breach of Contract before Action brought.

XXXVII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time and at all Times, to compound and agree with any Person or Persons on account of any Breach or Non-performance of any Contract or Contracts, although no Action or Suit shall have been brought for any Penalty or Forfeiture contained in any such Contract or Contracts, in like Manner as they are authorized and empowered to compound and agree on account of the same by the said recited Acts, after any Action or Suit shall have been brought in respect thereof.

After Michaelmas 1825, all the Tolls to cease.

XXXVIII. And be it further enacted, That from and after the Twenty-ninth Day of *September* One thousand eight hundred and twenty-five, all the Tolls by the said recited Acts authorized to be taken, at the Turnpikes in the said Acts mentioned, shall absolutely cease and determine.

Sunday Toll to be taken only at such Gates as are named in Act 11 G. 3.

XXXIX. And whereas by the said recited Act passed in the Eleventh Year of His late Majesty King *George* the Third, it was amongst other Provisions in the said Act further enacted, that from and after the First *Sunday* next after the passing the said Act, there should be paid to the Receiver or Receivers, Collector or Collectors, to be nominated and appointed under the said Act, before any Cattle or Carriage should be permitted to pass on any *Sunday* through any or either of the Turnpikes following, that is to say, the Turnpike at *Mile End*, the Turnpike at *Bethnal Green*, the Turnpike at *Hackney*, the Turnpike at *Kingsland*, the Turnpike at *Balls Pound* or *Pond*, *Islington*, the Turnpike at *Holloway*, the Turnpike at the End of *Saint John Street*, the Turnpike at the End of *Goswell Street*, and the Turnpike on the *New Road*, commonly called The *City Road*, all such Turnpikes respectively being in the County of *Middlesex*, certain Tolls in the said Act mentioned: And whereas since the passing of the said Act, a Turnpike and Toll House has been erected at

at *Islington* in the said County, and which is commonly known by the Name of the *Islington Gate*: And whereas Doubts have arisen whether the said Toll is by the said Act authorized to be taken at the said last-mentioned Gate; be it therefore enacted, That nothing in the said recited Act shall extend or be construed to extend to enable the said Receiver or Receivers, Collector or Collectors, to demand and take, or cause to be demanded or taken the said Toll or Tolls at any Gate or Gates, save and except such Gates as are specifically named in the said Act.

Monies borrowed on the Credit of the Tolls charged upon the Consolidated Rate.

XL. And be it further enacted, That from and after the said Twenty-ninth Day of *September* One thousand eight hundred and twenty-five, all the Sums of Money which, by virtue of the said recited Acts, or either of them, have been borrowed and raised upon the Credit of the said Tolls, and the Interest thereof, shall be and the same are hereby made payable out of and charged upon the Monies to arise from the Rates by the said recited Acts and this Act authorized to be made, for the Purposes of paving, cleansing, and lighting the said City and Liberties, and of making, enlarging, widening, deepening, altering, and removing the Common Sewers, Public Drains, and Vaults, within the same, in the same Manner to all Intents and Purposes as the same would have been payable out of the said Tolls, if this Act had not been made; and every Person to whom any Security has been given, assigned, or transferred, or shall be assigned or transferred by virtue of the said recited Acts or either of them, for Payment of any such Sums of Money out of the said Tolls, shall have and is hereby vested with such and the like Powers and Remedies for enforcing or recovering Payment thereof, as if the same had been originally charged upon the said Rates instead of the said Tolls, and shall be Creditors in an equal Degree with other Creditors for Monies borrowed on the Credit of the said Rates, by virtue of the said recited Acts or either of them, without any Preference in respect of Priority of the Advance of the Money lent by them, or any of them respectively.

Regulations respecting Chariots, &c. plying for Hire.

XLI. And be it further enacted, That all the Regulations and Provisions in the said recited Acts or either of them, or in this Act contained, relating to Hackney Coaches, shall extend and apply to Hackney Chariots, Cabriolets, and any other Carriages licensed to ply for Hire in the Streets, in the same Manner to all Intents and Purposes as if the same respectively had been included in the said recited Acts, together with Hackney Coaches.

For limiting the Number of Hackney Coaches and other Carriages to stand in certain Streets.

XLII. And be it further enacted, That from and after the passing of this Act, the Number of Coaches, Chariots, Cabriolets, or other Carriages allowed to stand and ply for Hire at any one Time in the respective Streets or Places herein-after named, shall be no more than is herein-after directed; that is to say, in the Middle of *Fenchurch Street*, between the Ends of *Mark Lane* and *Mincing Lane*, Eight of such Coaches or other Carriages; in the Middle of *Leadenhall Street*, between the *East India* House and the End of *Gracechurch Street*, Six of such Coaches or other Carriages; in the Middle of *Gracechurch Street*, between the End of *Cornhill* and the End of *Eastcheap*, Fifteen of such Coaches or other Carriages; in the Middle of *Cheapside*, between the End of *Queen Street* and the End of the *Old Change*, Twenty of such Coaches or other Carriages; in the Middle of *King Street*, between *Cheapside* and *Cateaton Street*, Eight of such Coaches or other Carriages; and in the Middle of

Fleet Street, between the End of *Water Lane* and the End of *Fetter Lane*, Fifteen of such Coaches or other Carriages; and the Owner or Driver of any such Coach, Chariot, Cabriolet, or other Carriage, which shall stand or ply for Hire in any of the said Streets or Places, after such Number of Coaches, Chariots, Cabriolets, or other Carriages as is hereinbefore limited shall be standing or plying therein, or shall stand or be placed within Eight Feet of any other Coach, Chariot, Cabriolet, or other Carriage then standing or plying for Hire, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, to be recovered and levied by such Ways and Methods as by the several Acts of Parliament now in force concerning Hackney Coaches and other Carriages plying for Hire, or any of them, all or any of the Penalties and Forfeitures incurred by Hackney Coachmen may now be recovered and levied.

Court of Aldermen empowered to make Regulations for the standing of Carts.

XLIII. And be it further enacted, That it shall be lawful for the Court of Mayor and Aldermen of the said City, from Time to Time to appoint such Places for Carts, Wains, or Waggons to stand and ply for Hire within the Limits of this Act, as they shall think proper; and shall make such Orders to regulate the Number of such Carts, Wains, or Waggons, to stand in such Places respectively, and the Distances at which they shall stand one from another, and as to the Times of their so standing or plying for Hire, as to such Court shall think fit; and shall cause the Orders to be made by them from Time to Time to be advertised in the *London Gazette* and Two or more Newspapers circulated in the City of *London*, and a Copy thereof to be hung up for public Inspection in the Town Clerk's Office at the Guildhall of the said City; and if any Cart, Wain, or Waggon shall stand for Hire in any Place which shall not be so appointed, or at any other Time than during the Hours appointed for such standing for Hire, or in any Manner contrary to the Orders to be made and advertized as aforesaid, the Person who shall so place the same, or if such Person shall not be known, the Owner of such Cart, Wain, or Waggon, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings; and it shall be lawful for any Person or Persons to seize or to assist in seizing every such Cart, Wain, or Waggon standing for Hire, or contrary to the Regulations aforesaid, together with all and every Horse, Mare, Gelding, Mule, or Ass, drawing, belonging, or attached thereto, and to convey the same to the Common Pound or Green Yard of the said City, there to be impounded and kept until the Owner or Owners thereof, or his or their known Servant or Servants, shall claim the same, and shall have paid the Charges of removing and keeping every such Cart, Wain, or Waggon, and any Horse, Mare, Gelding, Mule, or Ass drawing, belonging, or attached thereto, and also the Penalty or Forfeiture to be inflicted upon any Person convicted of such Offence; and in case the same shall not be claimed, and the Charges, Penalty, or Forfeiture paid within the Space of Ten Days next after such Seizure, it shall and may be lawful to and for any Alderman of the said City to cause the same or a competent Part thereof to be appraised and sold for the Payment of the said Charges and Penalty or Forfeiture, returning to such Owner or Owners, upon Demand, such Part or Parts thereof as shall not have been sold, together with the Overplus (if any) of the Monies arising by such Sale.

For preventing various Nuisances

XLIV. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall upon any of the Footways or Foot

Foot Pavements within the Limits aforesaid, run, draw, drive, or carry thereon any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatsoever; or roll any Cask or Tub, other than for the necessary loading or unloading thereof, unto, upon, from, or out of any Carriage or Cart; or wilfully ride, load, or drive any Horse or other Beast or Cattle whatsoever on any of the said Footways or Foot Pavements, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading to go thereon; or shall tie or fasten any Horse or other Cattle to any House, Wall, Fence, Post, Tree, or other Thing whatsoever, across any of the said Footways or Foot Pavements; or hold, set, or place any Pole, Placard, Basket, Bag, Cask, Tub, Pail, Bucket, Stool, Bench, Shewboard, Chopping Block, Stall, Goods, Wares, Merchandize, Apparel, or other Things, on or in the said Footway or Foot Pavement; or erect, set up, put, or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, so as in any way to cause any Obstruction or Impediment in the Footway or on the Foot Pavement; or shall in any Street, Lane, Square, Yard, Court, Alley, Passage, or Place within the said Limits, hoop, fire, cleanse, wash, or scald any Cask or Tub; or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber; or make or repair, or place or leave, or wash or clean any Coach, Chaise, Waggon, Sledge, or other Carriage, or the Wheel, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage, except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot be conveniently removed for that Purpose, and also except for the necessary Time of any Stage Coach, Hackney Coach, or other Carriage let for Hire, taking up and setting down any Fare, or waiting for Passengers when actually hired, so that no Stage Coach shall wait for Passengers longer than Ten Minutes; or shoe, bleed, or farry any Horse or other Beast (unless in case of sudden Accident); or clean, dress, drive, or turn loose any Horse or other Beast or Cattle, or shew or expose any Stallion or Stone Horse (except only in such Place as the said Commissioners shall direct); or shew or expose, or exercise, or expose to Sale any Horse or other Beast, or kill, or slaughter, or scald, singe, dress, or cut up any Animal, either wholly or in part, or cause or permit any Blood to run from any Slaughter House, Butcher's Shop, or Shamble into the Streets, or any of them; or shall sell or assist in selling by Auction or public Sale, or expose or assist in exposing to Sale any Cattle, Apparel, Goods, Wares, Merchandize, or Thing or Things whatsoever, in any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places; or hang up, place, or expose to Sale, or cause or permit to be hung up, placed, or exposed to Sale, any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, Offal, or other Matter or Thing, in or upon, or so as to project over or upon the Footway or Carriage-way of any such Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, or Places, or beyond the Line or on the Outside of the Window or Windows, or in the Area or Areas of the House, Shop, or Place at which the same shall be so hung up, placed, or exposed to Sale, or so as to obstruct or incommode the Passage of any Person or Carriage; or leave open after Sun-set and before Sun-rise the Door or Window of any Area, Cellar, or other underground Room or Apartment, or Openings leading to any Buildings or Premises, without having placed or left a sufficient Light therein to warn and pre- and Obstructions.

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vent Persons passing in the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places within the said Limits, from falling into such Cellars or other underground Rooms, Apartments, or Openings; or shall permit or suffer any Iron or other Plate, commonly called a Coal Plate, over the Vaults, or otherwise belonging to any of the Houses and Premises within the Limits of this Act, to remain loose and unfastened, or shall permit or suffer any Gate or Gates, Door or Doors, to open over the Footways; or shall not inclose the Openings or Entrances to the Steps leading from the public Streets through Passages or Courts to Cottages or Buildings, with proper Iron or other Gates, or shall not lock up and fasten after Daylight and in the Night-time the Iron or other Gates enclosing the Areas belonging to the said Houses and Premises, or Openings and Entrances as aforesaid; or shall throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner; or play at Football, or at any other Game to the Annoyance of any Inhabitant or Inhabitants, Passenger or Passengers; or shall wilfully break, aid, or abet, or assist in wilfully breaking any Glass or Window Panes or Windows in or belonging to any Dwelling House or Building; or cause, make, or assist in making any Bonfire, or wantonly discharge or fire off any Gun, Pistol, or Blunderbuss, or other Fire Arms, or let off, set fire to, or throw any Cracker, Squib, Rocket, or other Firework; or shall occasion any Kind of Obstruction or Annoyance in or upon any such Street, Lane, Square, Yard, Court, Alley, Passage, or Place; or shall obstruct or incommode, hinder or prevent the free Passage of any Footway or Causeway; or prejudice or annoy in any Manner whatsoever any Person or Persons travelling, passing, or going thereon within the said Limits, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall and may be lawful to and for any Constable or other Peace Officer, or any One of the said Commissioners, or any Officer or other Person acting by or under their Authority by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before some Alderman or Aldermen, or Justice or Justices of the Peace for the City, County, or Place where the Offence shall be committed, in order to his, her, or their Conviction of such Offence.

Penalty.

Obstructions may be seized.

XLV. And be it further enacted, That not only shall the said Penalties lastly enacted become payable and be recovered, but that it shall and may be lawful to and for any Person or Persons appointed or to be appointed by the said Commissioners as aforesaid, without any Warrant or other Authority than this Act, to seize any such Truck, Wheel, Sledge, Wheelbarrow, Bier or Carriage, Horse, Beast, or Cattle, Pole, Placard, Bag, Cask, Tub, Pail, Bucket, Stool, Bench, Shewboard, Chopping Block, Stall, Basket, Blind, Shade, Coverlid, or Awning, or other Things, Stone, Wood, or Timber, Coach, Chaise, Waggon, or other Carriage, together with the Horse or Horses, Ass or Asses, Mule or Mules, if any shall be thereunto belonging, with the Harness, Gear, and Accoutrements thereof, or any such Goods, Apparel, Wares, Merchandize, Fruit, Vegetables, or Garden Stuff, Butcher's Meat, or other Things, or any of them; and in case any of the Wares, Goods, and Merchandize so seized shall be perishable, or shall be Articles of Food, then the same shall be immediately forfeited, and such Person or Persons who shall seize the same shall

shall deliver the same or cause the same to be delivered to the Churchwardens or Directors of the Poor, or some of them, or to the Master of the Workhouse of the Parish in which the same shall be seized, and the same shall and may be given and distributed by them or him unto and among the poor Inhabitants of the said Workhouse, to and for his, her, or their Benefit; but otherwise such Person or Persons shall cause the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, or any Materials or Things so seized, to be removed to the Common Pound of the said City called the Green Yard, or the Common Pound of the Place where the Offence shall be committed, if any such there be, or otherwise to such Place or Places as he or they shall judge convenient, giving Parole or written Notice of such Place or Places whereunto the same shall be removed unto the Owner, Driver, or other Person having any Interest in the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, Materials, or other Things so seized or removed, if he, she, or they shall be then and there present, and the same shall be there kept and detained until such Owner, Driver, or other Person interested therein as aforesaid shall cause to be paid the said Penalty, together with the Charges for taking or removing the same, and of keeping such Horse or Horses, Ass or Asses, Mule or Mules, if any; and in case the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, Materials or other Things so removed, (not being perishable, or Articles of Food) shall not be claimed, and the said Penalty and Charges be paid within Five Days next after such Removal thereof, then and in every such Case it shall and may be lawful to and for the said Commissioners or their Surveyor or other Person as aforesaid, to order the same to be appraised and sold, and the Overplus of the Money arising by such Sale shall be returned to the Owner or Owners thereof, if he or they shall have given such Notice as aforesaid, after deducting the said Penalty, and such Costs, Charges, and Expences attending such seizing, removing, keeping, appraising, and selling the same, as the said Commissioners or the Alderman before whom the Offender shall be convicted shall ascertain and allow.

Commissioners may sue and be sued in the Name of their Clerk.

XLVI. And be it further enacted, That the said Commissioners shall and may be sued and otherwise proceed or be proceeded against at Law, or otherwise, in the Name of any One of the said Commissioners, or of their Clerks for the Time being, or any of them; and that all Actions or Suits which it may be necessary to bring for the Recovery of any Penalty or Sum of Money due or payable by virtue of the said recited Acts or either of them or this Act, or for or in respect of any Matter or Thing relating to the said recited Acts or either of them or this Act, shall be brought and prosecuted in the Name or Names of One of the said Commissioners or of any One of their Clerks for the Time being; and that no Action or Actions which may be brought, commenced, or prosecuted by or against the said Commissioners, or any of them, by virtue or on account of this Act, in the Name or Names of One of the said Commissioners, or One of their Clerks, shall abate or be discontinued by Death or Removal of such Commissioner or Clerk, or either of them, or by the Act or Default of such Commissioner or Clerk, or either of them, done or suffered without the Direction or Consent of Seven or more of the said Commissioners for the Time being, but One of the said Commissioners or One of the Clerks of the said Commissioners for the Time being shall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants, as the Case may be: Provided always, that every such Commissioner or Clerk

in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid out of the Monies to be raised by virtue of the said recited Acts or either of them, or this Act, all such reasonable Costs, Charges, and Expences as he or they shall sustain, be put unto, or become chargeable with, by reason of his being so made Plaintiff or Plaintiffs, Defendant or Defendants therein; and such Commissioner or Clerk shall not be personally answerable or liable for the Payment of the same, or of any Part thereof, unless such Action or Suit shall arise in consequence of his own Neglect or Default, or unless it should have been brought, commenced, or defended without the Order or Direction of Seven or more of the said Commissioners assembled at a Meeting under this Act.

The Punishment of Death repealed for forging Annuity Certificates or Powers of Attorney.

XLVII. And whereas by the said Act of the Eleventh Year of the Reign of His said late Majesty, it was enacted, that if any Person or Persons whatsoever should forge or counterfeit, or procure to be forged or counterfeited, or wilfully act or assist in forging or counterfeiting any Assignment of any such Annuity as therein is mentioned, or any Certificate of the Age or of the Life of any Nominee, or any Order or Authority in Writing to receive any Annuity due or to grow due to any Proprietor thereof, or any Part thereof, or should knowingly or fraudulently demand or endeavour to have or receive any such Annuity or Annuities, or any Part thereof, by virtue of any forged or counterfeited Assignment, Letter of Attorney, Certificate, Order, or Authority in Writing, or should falsely and deceitfully personate any true and real Proprietor or Proprietors of any such Annuity or Annuities, or the Assignee of any such Proprietor or Proprietors, and thereby receive or endeavour to receive the Money of any such true and lawful Proprietor or Assignee, as if such Offender were the true and lawful Owner thereof, then and in every and any of the said Cases, all and every such Person and Persons so offending, and being thereof convicted in due Form of Law, should be adjudged guilty of Felony, and should suffer Death without Benefit of Clergy; be it further enacted, That so much of the said recited Act, as makes the Person or Persons offending as lastly herein-before is recited liable to suffer Death without Benefit of Clergy, shall be and the same is hereby repealed.

Commitments to the Compters may be made to the Giltspur-street Prison, &c.

XLVIII. And be it further enacted, That in any Case in which by the said recited Acts any Person is authorized to be committed to one of the Compters of the said City, such Person may in like manner be committed to the *Giltspur-street* Prison, or to the House of Correction for the said City.

Recovery and Application of Forfeitures.

XLIX. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by the said recited Acts or either of them, or this Act, (the Manner of levying and recovering whereof is not otherwise particularly directed) may, in case of Non-payment thereof, be recovered in a summary Way, by the Order and Adjudication of one or more Alderman or Aldermen, Justice or Justices of the Peace for the City, County, or Place where the Offence shall be committed, or such Offender or Offenders shall be apprehended, and afterwards be levied, as well as the Costs of such Proceedings, on Non-payment, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal

or Hands and Seals of such One or more Alderman or Aldermen, Justice or Justices, who is and are hereby authorized and required to summon and examine any Witness or Witnesses upon Oath of and concerning such Offences, Matters and Things, and hear and determine the same; and the Overplus (if any) of the Money raised or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be rendered to the Owner or Owners of the Goods and Chattels so seized and distrained; all which Penalties not herein directed to be otherwise applied shall be paid to the Chamberlain of the said City for the Time being, to be applied for the General Purposes of this Act; and it shall and may be lawful for the said Alderman or Aldermen, Justice or Justices, to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Alderman or Aldermen, Justice or Justices, for his, her, or their Appearance before the said Alderman or Aldermen, Justice or Justices, on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Alderman or Aldermen, Justice or Justices, is and are hereby empowered to take, by way of Recognizance or otherwise; but if, upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties and such Costs as aforesaid, and the same shall not be forthwith paid, then it shall be lawful for such Alderman or Aldermen, Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction of the City, County, or Place, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Alderman or Aldermen, Justice or Justices, or shall otherwise be discharged by due course of Law.

For securing transient Offenders.

L. And whereas Offences may be committed against this Act by Persons unknown to the Commissioners, Collectors, or other Officers appointed to put the same in Execution; be it therefore further enacted, That it shall be lawful for any of the said Commissioners, or their Clerk or Clerks, Collectors or other Officers, or any Constable or Officer of the Peace respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons as shall commit any such Offence or Offences, and to take him, her, or them before any Alderman or Justice of the City, County, or Place where such Offence shall be committed, or such Offender or Offenders shall be seized and apprehended, and such Alderman or Justice shall and he is hereby required to proceed and act with respect to such Offender or Offenders, according to the Provisions of this Act.

Appeal.

LI. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any thing done in pursuance of this Act, and for which no particular Mode of Relief hath been

been already appointed, such Person or Persons may appeal, if the Cause of such Appeal shall arise in the City of *London*, to the Justices of the Peace for the said City at their General or Quarter Sessions, to be holden for the said City of *London*; or if the Cause of Appeal shall arise within the County of *Middlesex*, to the Justices of the Peace at their General or Quarter Sessions, to be holden for the said County of *Middlesex*, within Three Calendar Months next after such Cause of Complaint shall arise, unless the same shall arise within Ten Days preceding such Sessions, in which Case such Appeal may be brought at the Second Sessions after such Cause shall arise; and the said Justices are hereby authorized and required to take Cognizance thereof, and to hear and determine such Complaint or Complaints; and shall and may, if they see Cause, vacate or set aside the Conviction or Convictions, and set the Parties at Liberty, or otherwise may ratify or confirm the same, with such Costs as to them in their Discretion shall seem reasonable; and to levy by their Order or Warrant such Costs so awarded, by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse to pay the same; and for want of sufficient Distress, to commit such Person or Persons to the Common Gaol for the said City of *London* or County of *Middlesex* for any Time not exceeding Three Calendar Months, or until Payment of such Costs: Provided always, that the Person or Persons so appealing as aforesaid shall, and he, she, and they are hereby required to give Notice in Writing of such his, her, or their Intention of bringing or prosecuting such Appeal, Fourteen Days before the said General or Quarter Sessions, and shall before such Notice given enter into a Recognizance before One or more Alderman or Aldermen of the City of *London*, or Justice or Justices of the Peace for the said County of *Middlesex*, in the Sum of Twenty Pounds, with Two sufficient Sureties in the Sum of Ten Pounds each, with Condition to prosecute such Appeal, and to pay all Costs in case such Appeal shall be determined against the Party or Parties so appealing.

Extending the Provisions of the former Acts to this Act.

LII. And be it further enacted, That the said recited Acts, and all and every the Powers, Authorities, Provisions, Regulations, Privileges, Penalties, Forfeitures, Matters, and Things whatsoever therein contained, so far as the same are not altered, repealed, or otherwise provided for, shall extend and be construed to extend to operate and be in full force and effect with respect to all Rates and Assessments to be made, and Matters and Things to be done, or which may arise in the Execution of this Act, as fully and effectually as if the same and every of them, and every Part thereof, were repeated and re-enacted in this Act, and were made Part thereof; and the said recited Acts and this Act shall, as to all Matters and Things whatsoever (except as aforesaid) be construed as one Act.

Expences of this Act.

LIII. And be it further enacted, That the Charges and Expences of obtaining and passing this Act shall be defrayed by and out of the Rates to be raised by virtue of the said recited Acts and this Act.

Public Act.

LIV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act; and shall be judicially taken Notice of as such, by all Judges, Justices, and others, without being specially pleaded.

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