ANNO QUINQUAGESIMO SEPTIMO

GEORGII III. REGIS.

Cap. xiv.

An Act for lighting and watching *Kentiſh Town* in the Pariſh of *Saint Pancras* in the County of *Middleſex*. [23d *May* 1817.]

WHEREAS the Hamlet of *Kentiſh Town* in the Pariſh of *Saint Pancras* in the County of *Middleſex* is very populous, and the Streets, Squares, Roads, and other public Places within, adjacent, and leading to the ſame are not ſufficiently lighted and watched: And whereas it would greatly tend to the Benefit and Convenience of the Inhabitants of the ſaid Hamlet, and of all Perſons reſorting to or paſſing through the ſame, if ſuch Streets, Squares, Roads, and Places were ſufficiently lighted and watched: 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 *James Alexander*, *Charles Cliff Aſhmore*, *Thomas Bird*, *Samuel Block*, the Reverend *Edward Chaplin*, *John Edwards*, *William Elliott*, *Thomas Finch*, *Anthony Goodeve*, *Thomas Greenwood*, *Thomas Harriſon*, *George Hornby*, *George Jackſon*, *George Ievers*, *Andrew Menſall*, *William Minſhull*, the Reverend *James Moore*, *Richard Morgan*, the Vicar of the Pariſh of *Saint Pancras* for the Time being, *George Parkinſon*, *Peter Potter*, *Samuel Randall*, *John Randall*, *Henry Robins*, *John Roſe*, *Edwin Sandys*, *Chriſtopher Scott*, *Joſeph Scrutton*, *William Stone*, *Robert Tate*, and *James Williams*, ſhall be and they are hereby appointed the Commiſſioners for putting this Act in Execution. Commiſſioners.

Power to appoint additional Commissioners.

II. And be it further enacted, That it shall be lawful for the said Commissioners or any Seven or more of them, at a Meeting to be held for that Purpose (of which Meeting and of the Purpose thereof Ten Days Notice shall be given as is hereinafter directed respecting the Appointment of Commissioners on Vacancies), to elect, nominate, and appoint any Number of fit and able Persons, not exceeding Ten, to be Commissioners for the Purposes of this Act in addition to the Commissioners hereby nominated and appointed.

Appointment of Commissioners.

III. And be it further enacted, That when any of the Commissioners named in or appointed by or in pursuance of this Act (except the Vicar for the Time being) shall die or refuse or be disabled to act, or shall cease to be qualified to act as a Commissioner or Commissioners under the Provisions herein-after expressed, it shall be lawful for the surviving or remaining Commissioners, or any Seven or more them, at any Public Meeting to be specially summoned for that Purpose, of which Meeting and of the Purpose thereof Ten Days Notice either written or printed with the Name of the Clerk to the said Commissioners annexed thereto, shall be given to each and every Commissioner, or left at his last or usual Place of Abode within the said Parish, to elect, nominate, and appoint some other Person or Persons qualified as hereinafter mentioned to be a Commissioner or Commissioners for the Purposes of this Act, in the room of every or any Commissioner so dying, or refusing or being disabled to act, or ceasing to be qualified as aforesaid; and the Person or Persons so chosen and appointed, being duly qualified, shall and may and he and they is and are hereby authorized and empowered to act in the Execution of this Act to all Intents and Purposes in as full, large and ample a Manner as the Commissioners herein-before named and appointed are by this Act authorized and empowered to act.

Qualification of Commissioners.

IV. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act (except the Vicar of the said Parish for the Time being), unless he shall be in his own Right or in Right of his Wife in the actual Possession or Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments situate within *Kentish Town*, in the Parish of *Saint Pancras*, in the County of *Middlesex*, liable to be assessed or rated under the Powers of this Act, of the clear Yearly Value of Thirty-five Pounds above Reprizes, or unless he shall be an Inhabitant in *Kentish Town* aforesaid at the Time of his actually paying Parochial Taxes, and truly and *bonâ fide* in the Occupation of a Messuage or Dwelling-house situate therein with the Appurtenances of the Annual Rent or Value of Thirty-five Pounds, liable to be assessed or rated under the Powers of this Act, nor until he shall have taken and subscribed the following Oath, (or Affirmation, if One of the People commonly called *Quakers*) before any One or more of the said Commissioners, who are hereby authorized and required to administer the same, before he takes upon himself to act in the Trusts and Authorities by this Act granted; which Oath or Affirmation shall be in the Words or to the Effect following, (that is to say),

Their Oath.

'I *A. B.* do swear, (*or* affirm, *as the Case may require*), that I am in my own Right or in the Right of my Wife in the actual Pos-

'session and Enjoyment or Receipt of the Rents and Profits of Lands, 'Tenements, or Hereditaments situate within *Kentish Town*, in the Parish of 'Saint *Pancras*, in the County of *Middlesex*, of the clear Yearly Value of 'Thirty-five Pounds above Reprizes; or that I am now, *bonâ fide* in the 'Occupation of a Messuage or Dwelling-house situate therein, with the 'Appurtenances, paying Parochial Taxes, of the annual Rent or Value 'of Thirty-five Pounds; and that I will truly and impartially, according 'to the best of my Skill and Judgment, execute and perform the several 'Powers and Authorities reposed in me as a Commissioner by virtue of 'an Act passed in the Fifty-seventh Year of the Reign of His Majesty 'King *George* the Third, intituled [*Here set forth the Title of this Act*].

'So help me GOD.'

And if any Person, not being named in or appointed by this Act, or otherwise duly qualified, shall nevertheless act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Protection, Wager of Law, or more than one Imparlance shall be allowed; and every Person so sued or prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor, than that such Person hath acted as a Commissioner in the Execution of this Act: Provided always, that all Acts and Proceedings of any Person or Persons acting as a Commissioner or Commissioners in the Execution of this Act, though not duly qualified as aforesaid, previous to his or their being convicted of the said Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual as if such Person or Persons had been duly qualified to act as a Commissioner or Commissioners according to the Directions of this Act.

First Meeting of Commissioners.

V. And be it further enacted, That the said Commissioners or any Five or more of them shall meet together at *The Assembly House*, or in some other convenient Place in *Kentish Town* aforesaid, on the Second *Monday* next after the passing of this Act, between the Hours of Nine and Twelve of the Clock in the Forenoon, and proceed in the Execution of this Act; and may then and from Time to Time adjourn, and afterwards meet there, or at any other Place within the said Hamlet, as the said Commissioners or any Five or more of them shall think most convenient, as often as it shall be necessary for putting this Act in Execution; and that Three Commissioners shall be sufficient for the Purpose of Adjournment only; and if it shall happen that there shall not at any Meeting be a sufficient Number of Commissioners to act, or to adjourn to another Day, or in case the Commissioners at any Meeting assembled shall neglect, or omit to adjourn, then and as often as the Case shall happen, the Clerk or Clerks to the said Commissioners, or any Five or more of the said Commissioners, shall and may, by Notice in Writing to be affixed on the Principal Door of the Parochial Chapel, and some other public Place or Places within the said Hamlet of *Kentish Town*, Ten Days at least before such intended Meeting, appoint the Commissioners to meet on the Day to be fixed in such Notice; and all Matters and Things which shall be done and transacted at any Meeting which shall be held in pursuance of

Meetings by Adjournment.

such

ſuch Notice, ſhall be as valid and effectual as if the ſame had been done at any other Meeting held by virtue of this Act: Provided alſo, that no Act of the ſaid Commiſſioners ſhall be valid unleſs done at a Public Meeting or Meetings to be held by virtue of this Act, except in the Caſe before mentioned, where Adjournments ſhould not have been made as aforeſaid; and that no Perſon, during the Time he ſhall have any Share or Intereſt in any Contract or beneficial Employment under this Act, or while any Appeal ſhall be depending wherein he ſhall be intereſted, ſhall be capable of acting as a Commiſſioner in the Execution of this Act; and that at all Meetings to be held in purſuance of this Act the Commiſſioners preſent at ſuch Meeting ſhall defray and bear their own Expences.

Perſons intereſted incapable of acting as Commiſſioners.

Commiſſioners to defray their own Expences.

Quorum of Commiſſioners.

VI. And be it further enacted, That all the Powers and Authorities by this Act granted to or veſted in the ſaid Commiſſioners, ſhall and may from Time to Time be exerciſed by any Five of them preſent at any Public Meeting to be holden in purſuance of this Act, or the major Part of ſuch Commiſſioners as ſhall be preſent at any ſuch Meeting, the Number ſo preſent not being leſs than Five; and all Acts and Proceedings of ſuch Commiſſioners, or the major Part of them, at ſuch Meeting, ſhall be as valid and effectual for the Purpoſes of this Act as if all the Commiſſioners for executing this Act had been preſent at ſuch Meeting, and had concurred therein; and a Chairman ſhall and may be appointed at every ſuch Meeting; and in caſe of an equal Number of Votes upon any Queſtion at any Meeting to be held by virtue of this Act (including the Vote of the Chairman), the Chairman ſhall have the caſting or deciſive Vote.

No Order made at a Meeting of the Commiſſioners ſhall be revoked but at a Special Meeting.

VII. And be it further enacted, That no Order made by the ſaid Commiſſioners at any of their Meetings ſhall be revoked or altered, unleſs at ſome Meeting to be ſpecially called and holden for that Purpoſe, of which Ten Days Notice in Writing ſhall have been given by affixing the ſame on the principal Door of the Parochial Chapel, and ſome other public Place or Places within the ſaid Hamlet; and alſo unleſs a greater Number of ſuch Commiſſioners aforeſaid ſhall attend at ſuch Meetings to revoke or alter ſuch Order than were preſent when ſuch Order was made; any Thing in this Act contained to the contrary thereof notwithſtanding.

Proceedings of Commiſſioners to be entered in Books.

VIII. And be it further enacted, That all the Acts, Orders, and Proceedings of the ſaid Commiſſioners ſhall from Time to Time be written and entered in a proper Book or Books to be kept for that Purpoſe; and all ſuch Books ſhall at all Meetings of the ſaid Commiſſioners, and at ſuch other reaſonable Times, and at ſuch Places as ſhall be appointed by the ſaid Commiſſioners, be open to the Inſpection of any Perſon or Perſons rated or paying the Rates or Aſſeſſments to be made for the Purpoſes of this Act, without Fee or Reward; and all ſuch Orders and Proceedings ſo entered ſhall be ſigned by the ſaid Commiſſioners, or any Five or more of them, and ſhall be deemed Originals, and ſhall be admitted to be read in Evidence in all Courts whatſoever, in all Cauſes, Suits, and Actions touching any Thing to be done in purſuance and under the Authority of this Act; which Book or Books ſhall be kept by the Clerk or Clerks for the Time being to the ſaid Commiſſioners, or by

by such Person or Persons and at such Place or Places as the said Commissioners shall direct and appoint.

Appointment of Clerk and Treasurer and other Officers, who are to account for Monies received.

IX. And be it further enacted, That the said Commissioners shall and may and they are hereby required, at their First Meeting to be holden as aforesaid, and afterwards from Time to Time to appoint One or more Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors of the Rate or Rates herein-after mentioned, and such other Officer or Officers for the Execution of this Act as the said Commissioners shall from Time to Time think proper; and may also from Time to Time remove them, or any of them, and appoint other or others in the room of such of them as shall be so removed, or shall die, relinquish, or discontinue such Office, or become incapable of acting therein; and out of the Monies to be raised by virtue of this Act the said Commissioners shall and may make such Allowances to such Officers, and all other Persons by them the said Commissioners employed in the Execution of this Act, as they shall think reasonable; and shall and may take such Security from the Treasurer or Treasurers, and other Officers, for the due Execution of their respective Offices, as the said Commissioners shall think proper; and all such Officers so to be appointed shall, under their Hands, and at such Time or Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act; and also all the Monies which shall have been by such Officers and Persons respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with proper Vouchers for such Payments; and shall pay all such Monies as shall remain due from them respectively to the said Commissioners, or to such Person or Persons as they shall appoint; and if any such Officer shall neglect or refuse to make and render any such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall neglect or refuse to deliver to the said Commissioners, or to such Person as they shall appoint, within Seven Days next after being thereunto required by the said Commissioners, by Notice in Writing given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to this Act, or give Satisfaction to the said Commissioners respecting the same, then and in any of the Cases aforesaid the said Commissioners may and are hereby authorized and empowered to cause an Action to be brought against the Officer so neglecting or refusing as aforesaid, for the Recovery of Monies that shall remain due from him, with Costs of Suit; or if Complaint shall be made by the said Commissioners, or by such Person or Persons as they shall appoint for that Purpose, of any Neglect or Refusal as aforesaid, to any Justice of the Peace of the said County of *Middlesex*, such Justice may and is hereby authorized and required to issue a Warrant under his Hand and Seal, for the Officer so neglecting or refusing to be brought before him, and upon such Officer appearing or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer), it shall appear to such Justice that any of the Monies which shall have been collected or raised by virtue of this Act shall remain due

from ſuch Officer, ſuch Juſtice may and is hereby authorized by Warrant under his Hand and Seal to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer; and if no Goods and Chattels of ſuch Officer can be found ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of ſuch Diſtreſs and Sale, or if it ſhall in manner aforeſaid appear to ſuch Juſtice that ſuch Officer ſhall have neglected or refuſed to render and give ſuch Account, or to produce Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act, ſhall be in the Cuſtody or Power of ſuch Officer, and he ſhall have neglected or refuſed to deliver or give Satisfaction reſpecting the ſame as aforeſaid, then and in any of the Caſes aforeſaid, ſuch Juſtice ſhall commit ſuch Offender to the Gaol or Houſe of Correction for the County or Place where ſuch Offender ſhall be or reſide, there to remain without Bail or Mainprize until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Commiſſioners for ſuch Money, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint (which Compoſition the ſaid Commiſſioners are hereby empowered to make and receive), or until he ſhall deliver up ſuch Books, Papers, and Writings as aforeſaid, or give Satisfaction in reſpect thereof to the ſaid Commiſſioners as aforeſaid: Provided always, that no ſuch Treaſurer or other Officer ſo committed for want of ſufficient Diſtreſs ſhall remain in Priſon for any longer Space of Time than Three Calendar Months.

Penalty on Officers acting improperly.

X. And be it further enacted, That if any Clerk, Officer, or Servant, who ſhall be employed by the ſaid Commiſſioners in the Execution of this Act, ſhall exact, take, or accept, by any Ways or Means, any Fee or Reward whatſoever, other than ſuch Salaries and Allowances as ſhall be appointed by the ſaid Commiſſioners, for or on account of any Thing done or to be done by virtue of this Act, or on any Account whatſoever relative to the putting of this Act in Execution; or ſhall be by any ways or means concerned or intereſted in any Bargain made or to be made by the ſaid Commiſſioners, for any of the Purpoſes intended by this Act, every Perſon ſo offending ſhall thenceforth for ever be incapable of being employed under this Act, and ſhall likewiſe forfeit and pay the Sum of Five Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered with full Coſts of Suit in any of His Majeſty's Courts of Record, by Action of Debt, Bill, Plaint, or Information to be commenced within Three Calendar Months next after the Offence ſhall be committed; in which Action or Suit no Protection, Eſſoign, or Wager of Law, or more than One Imparlance, ſhall be allowed.

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

XI. And be it further enacted, That the ſaid Commiſſioners ſhall and may ſue and be ſued, and otherwiſe be proceeded againſt at Law, in the Name or Names of their Clerk or Clerks, Treaſurer or Treaſurers, for the Time being; 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 this Act, or for or in reſpect of any Matter or Thing relating to this Act, ſhall be brought or proſecuted in the Name or Names of their ſaid Clerk or Clerks, Treaſurer or Treaſurers 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 their Clerk or Clerks,

Clerks, Treaſurer or Treaſurers, ſhall abate or be diſcontinued by the Death or Removal of ſuch Clerk or Clerks, Treaſurer or Treaſurers, or any or either of them, or by any Act or Default of ſuch Clerk or Clerks, Treaſurer or Treaſurers, any or either of them, done or ſuffered without the Direction or Conſent of Five or more of the ſaid Commiſſioners for the Time being; but the Clerk or Clerks, Treaſurer or Treaſurers to the ſaid Commiſſioners for the Time being, ſhall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants (as the Caſe may be), in ſuch Action or Suits: Provided always, that every ſuch Clerk or Clerks, Treaſurer or Treaſurers, 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 this Act, all ſuch reaſonable Coſts, Charges, and Expences as he or they ſhall ſuſtain or be put unto, or become chargeable with, by reaſon of his, their, or any or either of them being ſo made Plaintiff or Plaintiffs, Defendant or Defendants therein.

Clerk not to be Treaſurer, and vice verſâ.

XII. Provided always, and be it further enacted, That it ſhall not be lawful for the ſaid Commiſſioners to appoint the Perſon who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any ſuch Clerk, the Treaſurer for the Purpoſes of this Act, or to appoint the Perſon who may be appointed Treaſurer, or the Partner of any ſuch Treaſurer, the Clerk to the ſaid Commiſſioners for executing this Act; and if any Perſon ſhall act in both the Capacities of Clerk and Treaſurer for the Purpoſes of this Act, or if any Perſon being the Partner of any ſuch Clerk ſhall act as Treaſurer, or being the Partner of any ſuch Treaſurer ſhall act as Clerk in the Execution of this Act, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed.

Lamps, &c. veſted in the Commiſſioners.

XIII. And be it further enacted, That the Right and Property of, in, and to all Lamps, Lamp Irons, Poſts, Watchboxes, Watchhouſes, and other Things thereto belonging, which ſhall be purchaſed, erected, and fixed by virtue of this Act, and of, in, and to all Things, Materials and Utenſils whatſoever which ſhall be purchaſed for the Purpoſes of this Act, ſhall be and are hereby veſted in the ſaid Commiſſioners, and they are hereby authorized and empowered to bring or cauſe to be brought any Action or Actions, or to prefer any Bill or Bills of Indictment, as the Caſe may require, againſt any Perſon or Perſons who ſhall ſteal, take, and carry away, ſpoil, injure, or deſtroy any Part or Parts thereof, or any other Matter or Thing veſted in the ſaid Commiſſioners as aforeſaid, or diſturb them in the Poſſeſſion thereof; and in all ſuch Actions and Bills of Indictments it ſhall be, and be deemed, and taken to be, ſufficient to ſtate generally, that the ſaid Articles, Matters, and Things, for or on account of which ſuch Action or Actions ſhall be brought, or Bill or Bills of Indictments preferred, are the Property of the Commiſſioners for lighting and watching *Kentiſh Town*, in the Pariſh of *Saint Pancras*, in the County of *Middleſex*, without particularly ſtating or ſpecifying the Name or Names of all or any of the ſaid Commiſſioners, and the ſaid Commiſſioners

ſhall

shall have full Power and Authority from Time to Time to sell by Public Auction, or otherwise, all or any Part of the Materials and Things which shall not be wanted for the Purposes of this Act, and the Money arising therefrom shall be applied to the Purposes of this Act.

Lamps.

XIV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time to cause Lamp Irons or Lamp Posts to be put up, fixed into, upon, or against the Ground adjoining to the Walls or Palisadoes of any of the Houses, Tenements, or Buildings already built or hereafter to be built within the said Hamlet, as they the said Commissioners shall from Time to Time think proper and convenient; and also to cause such Number of Lamps, of all Sizes and Sorts, to be provided and fixed, or put upon such Lamp Irons or Lamp Posts, and to cause the same, when so provided and fixed, to be altered, taken down, or removed, as they shall from Time to Time think proper, for well and effectually lighting *Kentish Town* aforesaid; and to cause such Lamps to be lighted at such Time or Times, and to be kept lighted during the whole or such Part of the Night, as they the said Commissioners shall think proper; and if any Person or Persons shall take away, or willfully break, throw down, or otherwise damage, any of the Lamps which now are or shall be erected by or by Order of the said Commissioners, or any of the Posts, Iron, or Furniture thereof, or shall wilfully extinguish the Light or Lights of any of the said Lamps, it shall be lawful for any Justice of the Peace for the said County of *Middlesex*, and he is hereby required, upon Complaint of the said Commissioners or any Two or more of them, or of their Clerk or Clerks, Treasurer or Treasurers, and on the Oath of any credible Witness or Witnesses, of any such Offence having been committed, to issue a Warrant for apprehending the Party accused; or it shall be lawful for any Person or Persons who shall see such Offence committed to apprehend, and also for any Person or Persons to assist in apprehending, the Offender or Offenders, and by Authority of this Act, without any other Warrant, to deliver him, her, or them into the Custody of a Peace Officer, in order to be secured and conveyed before such Justice of the Peace as aforesaid; and the Party accused being brought before any such Justice, or Oath being made before him that such Party cannot be found, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party accused shall be convicted of such Offence, either by his, her, or their Confession, or upon Information and Oath as aforesaid, he, she, or they so convicted, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and full Satisfaction, (to be ascertained by such Justice) shall be made to the said Commissioners, by such Offender or Offenders, for the Damage so by him, her, or them done; and in case such Offender or Offenders shall not upon Conviction pay the Forfeiture by him, her, or them incurred, and make such Satisfaction as aforesaid, the Justice before whom such Offender or Offenders shall be so convicted, is hereby required to commit him, her, or them to the Common Gaol or House of Correction for the said County of *Middlesex*, for any Time not exceeding Three Calendar Months, and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be

committed, unleſs ſuch Forfeiture and Satisfaction ſhall be ſooner paid and given; and One Half of the ſaid reſpective Forfeitures when recovered ſhall be paid to the Informer or Informers, and the other Half ſhall be applied for the Purpoſes of this Act; and if any Perſon or Perſons ſhall negligently or accidentally break, throw down, or otherwiſe damage any of the ſaid Lamps, or any of the Poſts, Irons, or other Furniture thereof, and ſhall not upon Demand made by the ſaid Commiſſioners, or by their Treaſurer or Treaſurers, Clerk or Clerks, make Satisfaction to them, or to ſome or one of them, for the Damages by ſuch Perſon done, it ſhall be lawful for any Juſtice of the Peace of the ſaid County, and he is hereby required, upon Complaint thereof made by any of the ſaid Commiſſioners, or by their Clerk or Clerks, Treaſurer or Treaſurers, to ſummon the Party complained of, and upon his, her, or their appearing, or making default to appear, (Oath being made that the Party complained of was ſerved with ſuch Summons, or that the ſame was left at his or their Dwelling-houſe, or Place of Abode if known, or that he or they could not be found), ſuch Juſtice ſhall proceed to examine the Cauſe of ſuch Complaint, and upon Proof thereof, either by the Confeſſion of the Party complained of, or by the Oath of any credible Witneſs or Witneſſes, ſhall award and order ſuch Satisfaction to be made by the Party complained of, for the Damage ſo by him, her, or them done, as to ſuch Juſtice ſhall appear juſt and reaſonable; and ſhall cauſe the Sum ſo awarded, in caſe the ſame be not paid forthwith, upon the making of ſuch Award and Order, to be recovered by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons complained of, rendering to him, her, or them, upon Demand, the Overplus (if any be) after the Charges of proſecuting ſuch Complaint and of ſuch Diſtreſs and Sale ſhall be deducted.

Watchmen.

XV. And be it further enacted, That the ſaid Commiſſioners ſhall and may, and they are hereby authorized and empowered to order, eſtabliſh, and appoint ſuch Number of Watchmen as they ſhall judge neceſſary to be kept and employed in or about *Kentiſh Town* aforeſaid, and likewiſe direct and appoint how and where the ſeveral Watchmen ſhall be ſtationed, and in what Manner they ſhall be armed; how often they ſhall go their Rounds; how long they ſhall continue upon Duty, and what Wages ſhall be allowed to ſuch Watchmen for their Service; and ſhall and may alſo erect and provide proper Places, Boxes, or Watchhouſes, for the Reception of ſuch Watchmen as aforeſaid, and ſhall make Orders and Regulations from Time to Time for the better Direction and Government of ſuch Watchmen; and it ſhall be lawful for ſuch Watchmen and they are hereby authorized and required to keep Watch and Ward within *Kentiſh Town* aforeſaid, to arreſt, apprehend, and detain in ſome Watch-houſe, or other convenient Place of Security within the ſaid Hamlet, to be provided and appointed by the ſaid Commiſſioners, all Diſturbers of the Public Peace, Diſorderly Perſons, Vagrants, Beggars, and all ſuch other Perſons as ſhall be found miſbehaving themſelves, and ſhall take them, as ſoon as conveniently may be, before any one of His Majeſty's Juſtices of the Peace for the ſaid County of *Middleſex*, to be examined and dealt with according to Law.

Penalty on Watchmen not doing their duty.

XVI. And be it further enacted, That if ſuch Watchmen or any of them ſhall not obſerve, perform, and keep the lawful Orders, Rules, and Regulations which ſhall be made for the Purpoſes aforeſaid by the ſaid Commiſſioners, or ſhall in any Manner neglect their Duty, or miſbehave themſelves, every Perſon ſo offending ſhall forfeit and pay, for every ſuch Neglect or Offence, any Sum not exceeding Forty Shillings, and alſo, if the ſaid Commiſſioners ſhall think proper, ſhall be immediately diſcharged from his or their reſpective Office or Employment.

Penalty on Publicans harbouring Watchmen, &c.

XVII. And be it further enacted, That if any Victualler or Publican, or other Perſon ſelling or dealing in Spirituous or other Liquors, ſhall knowingly or wilfully entertain or harbour, in his, her, or their Houſe or Habitation or Shop, any Watchman to be appointed under this Act, during any of the Hours or Times appointed for ſuch Watchmen to be on Duty by virtue or in purſuance of this Act, every Victualler, Publican, or other Perſon, ſhall forfeit and pay any Sum not exceeding Forty Shillings.

Reward for apprehending Offenders.

XVIII. And be it further enacted, That the ſaid Commiſſioners, from Time to Time, if they ſhall ſee Cauſe, ſhall and may offer, pay and apply, out of the ſaid Rates and Aſſeſſments to be raiſed by virtue of this Act, ſuch Sum and Sums of Money as they ſhall think proper, as a Reward and Encouragement to Perſons diſcovering or apprehending or convicting Offenders againſt this Act.

Commiſſioners may water Streets and dig Wells.

XIX. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby authorized and empowered to cauſe the ſaid Streets, Squares, Roads, and other Public Places within the Limits of this Act to be watered when they ſhall think proper, and for that Purpoſe to cauſe ſuch Number of Wells and Pumps to be dug, ſunk, and made in any of the ſaid Streets, Roads, and other Public Places as they ſhall think neceſſary, and from Time to Time to alter and repair the ſame as there ſhall be Occaſion; and alſo to defray the Expence thereof out of the Monies to be raiſed by virtue of this Act: Provided that no ſuch Well or Pump ſhall be ſunk or made ſo as to injure any Houſe or other Building in or near any Vault or Cellar under any of the ſaid Streets, Squares, Roads and other Public Places.

Rates.

XX. And be it further enacted, That the Charges and Expences of lighting, watering, and watching the ſaid Streets, Squares, Roads, and Places within the ſaid Hamlet of *Kentiſh Town*, and of putting this Act in Execution in reſpect thereof, ſhall at all Times be borne and defrayed by the Tenants or Occupiers of Houſes, Shops, Malt-houſes, Warehouſes, Coach-houſes, Stables, Yards, Gardens, Cellars, Vaults, and other Buildings, within *Kentiſh Town* aforeſaid; and the ſaid Commiſſioners ſhall and they are hereby authorized, empowered, and required, Twice in every Year or oftener if they ſhall think it neceſſary, to make One or more ſeparate Rate or Rates, Aſſeſſment or Aſſeſſments, to be ſigned by the ſaid Commiſſioners or any Five or more of them upon the Tenants or Occupiers of all ſuch Houſes, Shops, Malt-houſes, Warehouſes, Coach-

houſes, Yards, Gardens, Stables, Cellars, Vaults, or other Buildings, in *Kentiſh Town* aforeſaid, for the Purpoſe of defraying ſuch Charges and Expences, in the ſame Manner and in the ſame Proportions as the ſame Hereditaments and Premiſes reſpectively ſhall be rated and aſſeſſed for the Time being towards the Relief of the Poor within the ſaid Pariſh, and ſo as the whole Sum to be raiſed under the ſaid Rates or Aſſeſſments reſpectively do not exceed in any one Year the Sum of One Shilling and Sixpence in the Pound, the Quotas or Proportions of which Sum ſhall be fixed and ſettled by ſuch Commiſſioners, and the Money or Monies ſo rated or aſſeſſed on the ſaid Tenants or Occupiers ſhall be paid by them reſpectively to the Collector or Collectors, or other Perſon or Perſons appointed by the ſaid Commiſſioners to collect the ſame; and if any Tenant or Occupier of any of the Premiſes aforeſaid ſhall neglect or refuſe to pay his or her Proportion or Proportions of any of the ſaid Rates or Aſſeſſments reſpectively to the ſaid Collector or Collectors, or other Perſon or Perſons, for the Space of Ten Days after Demand made thereof, the ſame ſhall be levied and recovered on all and every ſuch Tenant or Tenants, Occupier or Occupiers ſo neglecting or refuſing, by Diſtreſs and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any One or more Juſtice or Juſtices of the Peace for the County of *Middleſex*, and the Overplus (if any) of the Monies to be raiſed by ſuch Diſtreſs and Sale, ſhall be returned on Demand to the Owner or Owners of the Goods and Chattels ſo diſtrained and ſold, together with what ſhall remain unſold, after deducting all Charges attending ſuch Diſtreſs and Sale.

Higher Rate than 1s. 6d. in the Pound may be levied.

XXI. Provided always, and be it further enacted, That if it ſhall be deemed expedient and neceſſary at a Public General Meeting of the Perſons paying Parochial Rates and Taxes within the ſaid Hamlet of *Kentiſh Town*, (to be convened by Notice in Writing, ſigned by the Clerk to the ſaid Commiſſioners, and affixed on the principal Door of the Parochial Chapel in *Kentiſh Town*, and alſo on ſome other Public Place or Places within the ſaid Hamlet, at leaſt Ten Days before the Time appointed for ſuch Meeting) that the Rate of One Shilling and Sixpence in the Pound herein-before authorized to be levied ſhould be encreaſed, then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized, empowered, and required to make One or more additional Rate or Rates, Aſſeſſment or Aſſeſſments, to be ſigned by the ſaid Commiſſioners, or any Five or more of them, upon the Tenants or Occupiers of all and every the Houſes, Shops, Malt-houſes, Warehouſes, Coach-houſes, Stables, Yards, Gardens, Cellars, Vaults, and other Buildings reſpectively, as the Caſe may be and require, in *Kentiſh Town* aforeſaid, for the Purpoſe of defraying the Charges and Expences of carrying this Act into Execution, in the ſame Manner and Proportions as the ſaid Hereditaments and Premiſes reſpectively ſhall be rated and aſſeſſed for the Time being towards the Relief of the Poor of the ſaid Pariſh, ſo as the whole Sum to be raiſed by the ſaid Rate of One Shilling and Sixpence in the Pound, and the additional Rate hereby authorized to be made, do not exceed in any one Year the Sum of Two Shillings in the Pound, the Quotas and Proportions of which Aſſeſſment or Sum ſhall be fixed and ſettled by ſuch Commiſſioners; and the ſaid additional Rate or Aſſeſſment ſhall be made, aſſeſſed, collected, recovered,

and

and applied in such and the same Manner as is herein-before directed with respect to the said Rate of One Shilling and Sixpence in the Pound, authorized to be levied as aforesaid: Provided always, that such additional Rate shall not continue to be paid for more than One Year without the Consent of a further General Meeting.

Rates to be apportioned on change of Occupiers.

XXII. Provided always, and be it further enacted, That in all Cases where any Person or Persons shall remove from or quit any Houses, Shops, Malt-houses, Warehouses, Coach-houses, Yards, Gardens, Stables, Cellars, Vaults, or other Buildings, rated or assessed or liable to be rated or assessed by virtue of this Act, such Person or Persons shall be liable to pay such Rate or Assessment in proportion to the Time that he, she, or they occupied the same respectively, in like Manner as if such Person or Persons had not removed from or quitted the same; and in all Cases where any Person or Persons shall come into or occupy any Houses, Shops, Malt-houses, Warehouses, Coach-houses, Yards, Gardens, Stables, Cellars, Vaults, or other Buildings rated or assessed, or liable to be rated or assessed as aforesaid, out of or from which any other Person or Persons who shall have been rated or assessed for the same shall be removed, or which at the Time of making any such Rate or Assessment was empty or unoccupied, the Person or Persons coming into or occupying the same shall be liable to pay such Rate or Assessment in proportion to the Time that such Person or Persons shall occupy the same, in like Manner as if he, she, or they had been originally rated or assessed for such Houses, Shops, Malt-houses, Warehouses, Coach-houses, Yards, Gardens, Stables, Cellars, Vaults, or other Buildings, which said respective Proportions, in case of Dispute, shall be ascertained and settled by the said Commissioners.

How Rates may be recovered.

XXIII. And be it further enacted, That in case any Person or Persons who shall be rated or assessed, or subject or liable to the Payment of any Rate or Assessment to be made or laid as aforesaid, shall refuse or neglect to pay any such Rate or Assessment to any Collector or Collectors to be appointed as aforesaid, for the Space of Ten Days after personal Demand thereof made, or Demand thereof in Writing left at the usual or last Place of Abode of such Person or Persons, it shall be lawful for any Justice of the Peace of the County, City, Town, or Place, wherein such Person or Persons so neglecting or refusing shall be or reside, or whereto he, she, or they shall have removed, upon Proof made upon Oath of such Demand and Non-payment, which Oath such Justice is hereby empowered and required to administer, by Warrant under the Hand and Seal of such Justice, which he is hereby empowered to grant, to authorize and direct the said Collector or Collectors to levy such Rates or Monies so in arrear, together with the Costs and Charges attending the same to be ascertained by such Justice, by Distress and Sale of the Goods and Chattels of the Person or Persons so refusing or neglecting to pay as aforesaid, rendering the Overplus, if any, on Demand to the Owner or Owners of such Goods and Chattels.

Rates on Houses let in separate Tenements.

XXIV. And be it further enacted, That every Person, being Landlord or Tenant, who shall let his or her House in separate Apartments or ready-furnished to any Lodger or Lodgers, or for any less Term than One

One Year, ſhall for the ſeveral Purpoſes of this Act be deemed and taken to be the Occupier thereof, and may be rated and aſſeſſed accordingly.

Power for Commiſſioners to amend Rates if improper.

XXV. And be it further enacted, That if the ſaid Commiſſioners ſhall at any Time or Times neglect or omit to rate or aſſeſs any Perſon or Perſons liable to pay or to be charged with any Rate or Aſſeſſment to be made by virtue of this Act, or ſhall in any ſuch Rate or Aſſeſſment over-rate or under-rate any Perſon or Perſons liable to pay any ſuch Rate or Aſſeſſment, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners to rate and aſſeſs in the ſaid Rate or Aſſeſſment, ſuch Perſon or Perſons ſo omitted to be rated and aſſeſſed, and to leſſen or raiſe the Rate or Rates, Aſſeſſment or Aſſeſſments of ſuch Perſon or Perſons ſo over-rated or under-rated, or otherwiſe to alter and amend ſuch Rate or Aſſeſſment as aforeſaid, ſo as to make the ſame conformable to the true Intent and Meaning of this Act; and it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby empowered, to ſtrike out the Name or Names of any Perſon or Perſons not liable to the Payment of the Rates hereby directed to be made; and that all ſuch Additions to or Alterations or Amendments in ſuch Rates or Aſſeſſments ſhall be as valid and effectual as if the ſame had been Part of the Rates or Aſſeſſments originally made.

Commiſſioners may remit Rates on account of Poverty.

XXVI. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners for executing this Act, and they are hereby empowered, upon the Complaint or Requeſt of any Perſon or Perſons ſubject to the Payment of any Rate or Aſſeſſment to be made by virtue of this Act, who ſhall think himſelf, herſelf, or themſelves aggrieved thereby, or incompetent to pay the ſame, to mitigate, reduce, or leſſen ſuch Rate or Aſſeſſment, as the ſaid Commiſſioners in their Diſcretion ſhall think juſt and reaſonable; and alſo to remit or excuſe the Payment thereof on account of the Poverty or Indigence of any Perſon or Perſons liable to pay the ſame, ſo complaining or requeſting the Remiſſion or Deduction of any ſuch Rate or Aſſeſſment.

How Houſes, Buildings, &c. are to be charged when unoccupied.

XXVII. Provided always, and be it further enacted, That no Houſe or other Building as aforeſaid ſhall be charged or chargeable with more than One Moiety of any ſuch Rate or Aſſeſſment, during the Time the ſame ſhall be empty or unoccupied, and which Moiety of ſuch Rate ſhall be charged and paid by the Owner or Proprietor of ſuch empty or unoccupied Houſe or Building; and that no Land ſhall be charged or chargeable with ſuch Rate or Aſſeſſment which is not a Yard, Garden, Orchard, or Homeſtead adjoining and appurtenant to and occupied with the Houſe or Building in *Kentiſh Town* aforeſaid.

Payments to be made by Collectors.

XXVIII. And be it further enacted, That all and every Collector and Collectors to be appointed in purſuance of this Act ſhall and is and are hereby authorized and required to pay all ſuch Monies as he or they ſhall reſpectively collect and receive, by virtue of the Rates to be made in purſuance of this Act, into the Hands of the Treaſurer or Treaſurers to

be appointed by the ſaid Commiſſioners, who is and are hereby authorized and required, out of the Monies collected and paid into his or their Hands, to pay all Sums of Money which the ſaid Commiſſioners ſhall from Time to Time direct or order him to pay; and the ſaid Treaſurer or Treaſurers for the Time being ſhall and is and are hereby required to keep regular and clear Entries or Accounts, in a Book or Books to be for that Purpoſe by him or them provided and kept, of all and ſingular the Receipts and Payments on account or in purſuance of this Act; to which Book or Books, and all others kept for the Purpoſe of this Act, every Perſon liable to the Payment of the Rates ſhall and may have free Acceſs at all convenient Times, with full Liberty to inſpect the ſame without Fee or Reward; and alſo that the Treaſurer or Treaſurers for the Time being ſhall once in every Year have the ſaid Accounts audited and paſſed, and allowed by the ſaid Commiſſioners.

Commiſſioners may raiſe Money.

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

Form of Aſſignment.

'BY virtue of an Act paſſed in the Fifty-ſeventh Year of the Reign 'of King *George* the Third, intituled [*here ſet forth the Title of 'this Act*] We
'being of the Commiſſioners appointed by virtue of the ſaid 'Act, in conſideration of the Sum of advanced 'and lent by *A. B.* to *C. D.* the Treaſurer appointed in purſuance of 'this Act, do grant and aſſign unto the ſaid *A. B.* his Executors, 'Adminiſtrators, and Aſſigns, ſuch Proportion of the Rates or Aſſeſſments, ariſing by virtue of the ſaid Act, as the ſaid Sum of 'doth or ſhall bear to the whole Sum which is or ſhall be 'borrowed upon the Credit of the ſaid Act, to be had and holden from 'this Day until the ſaid Sum of with 'Intereſt at *per Centum per Annum* for the ſame, to be paid 'Half-Yearly, ſhall be repaid and ſatisfied. In Witneſs whereof we have 'hereunto ſet our Hands and Seals, the Day 'of '

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

Money may be raiſed by Annuities.

XXX. Provided always, and be it further enacted, That in caſe the ſaid Commiſſioners ſhall think it adviſable to raiſe all or any Part of the Money neceſſary for the Purpoſes of this Act, by granting of Annuities for the

the Life or Lives of any Perſon or Perſons, or for any limited Number of Years, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and empowered, by any Writing or Writings under their Hands and Seals to grant any Annuities to any Perſon or Perſons who ſhall contribute, advance, and pay into the Hands of the Treaſurer to the ſaid Commiſſioners any Sum or Sums of Money for the abſolute Purchaſe of any Annuity or Annuities, to be paid and payable during the natural Life of every ſuch Contributor, or the natural Life of every ſuch Perſon who ſhall be nominated by or on the Behalf of ſuch Contributor at the Time of the Payment of his or their Contribution or Purchaſe Money; and the Grant of ſuch Annuity ſhall be in the Words, or to the Effect following:

'WE, Five of the Commiſſioners appointed in purſuance of an Act paſſed in the Fifty-ſeventh Year of the Reign of King *George* the Third, intituled [*here ſet forth the Title of this Act*] in conſideration of the Sum of paid by to the Treaſurer appointed in purſuance of the ſaid Act, do hereby grant unto the ſaid an Annuity or Yearly Sum of out of the Rates or Aſſeſſments granted or ariſing by virtue of the ſaid Act, which Annuity or Yearly Sum of ſhall be paid to the ſaid or his Aſſigns, during the Term of his natural Life (*or* to his Executors, Adminiſtrators, or Aſſigns, during the natural Life of *as the Caſe may be*) upon the Day of and the Day of in every Year, during the natural Life of him the ſaid at the Firſt Payment thereof to be made on the Day of next enſuing the Date hereof. In witneſs whereof we have hereunto ſet our Hands and Seals, the Day of.'

And the ſaid ſeveral Annuities to be purchaſed ſhall be and are hereby charged upon and ſhall be paid out of the Rates or Aſſeſſments hereinbefore mentioned, and ſhall be made payable and be paid Half-yearly during the natural Life or Lives of ſuch Contributors reſpectively, or the natural Life or Lives of ſuch other Perſon or Perſons as ſhall be nominated by ſuch reſpective Contributors; and a proportionate Part of each Annuity ſhall be paid from the laſt Day of Payment to the Day of the Death of the Annuitant or his *Ceſtuique Vie*: Provided always, that nothing herein contained ſhall be deemed, conſtrued, or taken to extend to make the ſaid Commiſſioners perſonally, or their reſpective Eſtates, Lands, and Tenements, Goods and Chattels, liable to the Payment of the ſaid Annuities to be purchaſed in purſuance of this Act, by reaſon of their giving or executing ſuch Securities as aforeſaid: Provided nevertheleſs, that no greater Sum in the whole than One thouſand Pounds ſhall be raiſed by Loan or Mortgage, and by the Sale or granting of Annuities as aforeſaid; and that before any ſuch Money ſhall be borrowed or Annuity granted Twenty-one Days Notice at the leaſt ſhall be given in ſome Newſpaper publiſhed in *London* or *Weſtminſter*, ſignifying the Intention of borrowing Money or granting ſuch Annuities.

Commiſſioners not to be perſonally liable for Payment of the Annuities in conſequence of their executing ſuch Bonds.

Money borrowed not to exceed 1000l.

XXXI. And

For granting Annuities under certain Reſtrictions.

XXXI. And for preventing any improvident Grants of Annuities under this Act, be it further enacted, That no Annuities ſhall be granted by virtue of this Act for any ſingle Life at any higher Rate than the following; that is to ſay, where the Age of the Annuitant, or Perſon for whoſe Life the Annuity ſhall be granted, ſhall not exceed Thirty-five Years, the Annuity to be granted ſhall not exceed the Rate of Eight Pounds Three Shillings for each One hundred Pounds of the Conſideration Money paid for the Purchaſe thereof; where the Age of ſuch Perſon ſhall not exceed Forty Years, the Annuity to be granted ſhall not exceed the Rate of Eight Pounds Ten Shillings for each One hundred Pounds of the Conſideration Money; where the Age of ſuch Perſon ſhall not exceed Forty-five Years, the Annuity ſhall not exceed the Rate of Nine Pounds for each One hundred Pounds of the Conſideration Money; where the Age of ſuch Perſon ſhall not exceed Fifty Years, the Annuity ſhall not exceed the Rate of Nine Pounds Twelve Shillings for each One hundred Pounds of the Conſideration Money; where the Age of ſuch Perſon ſhall not exceed Fifty-five Years, the Annuity ſhall not exceed the Rate of Ten Pounds Eight Shillings for each One hundred Pounds of the Conſideration Money; where the Age of ſuch Perſon ſhall not exceed Sixty Years, the Annuity ſhall not exceed the Rate of Eleven Pounds Eight Shillings for each One hundred Pounds of the Conſideration Money; where the Age of ſuch Perſon ſhall not exceed Sixty-five Years, the Annuity ſhall not exceed the Rate of Twelve Pounds Seventeen Shillings for each One hundred Pounds of the Conſideration Money; where the Age of ſuch Perſon ſhall not exceed Seventy Years, the Annuity ſhall not exceed the Rate of Fifteen Pounds One Shilling for each One hundred Pounds of the Conſideration Money; and where the Age of ſuch Perſon ſhall not exceed Seventy-five Years, the Annuity ſhall not exceed the Rate of Eighteen Pounds Ten Shillings for each One hundred Pounds of the Conſideration Money.

Securities how tranſferred.

XXXII. And be it further enacted, That it ſhall be lawful for the Perſons entitled to any of the Securities for the Money ſo borrowed, or for the Annuities granted and ordered to be paid as aforeſaid, by Writing under their Hands indorſed thereon to transfer the ſame reſpectively to any Perſon or Perſons, according to the Form following:

‘ I do hereby aſſign the within Mortgage
‘ (or Bond for the Payment of the within-mentioned Annuity) and
‘ all my Right and Title in and to the Principal Money and Intereſt, or
‘ Annuity, and all the Arrears now due thereon, by virtue of the within-
‘ written Bond, thereby ſecured unto
‘ his Executors, Adminiſtrators, and Aſſigns. Dated the
‘ Day of

Mortgages and Securities to be entered in a Book.

And Entries or Memorials of all Mortgages or Aſſignments and Bonds for the Payment of Annuities, which ſhall be made in purſuance of this Act, and all Transfers thereof, expreſſing in Words at Length the Names, Additions, Places of Abode, and other proper Deſcriptions of all ſuch Perſons as ſhall from Time to Time be entitled to the Principal Money and Intereſt, or the Annuities thereby reſpectively ſecured, ſhall be

be entered in a Book to be kept for that Purpoſe by the Clerk to the ſaid Commiſſioners, to which Book any Perſon intereſted ſhall, at all ſeaſonable Times, have Acceſs, and ſhall have full Liberty to inſpect the ſame, without Fee or Reward; and for the Entry of every ſuch Transfer or Aſſignment the Clerk ſhall be paid Five Shillings, and no more; and every ſuch Transfer or Aſſignment, after ſuch Entry as aforeſaid, ſhall entitle the Perſon or Perſons to whom the ſame ſhall be made, and his, her, or their Executors, Adminiſtrators, and Aſſigns, to the Benefit of the Security thereby transferred; and all Perſons to whom ſuch Mortgages, Aſſignments, or Bonds for any Annuities ſhall be made, or who ſhall be entitled to the Money or Annuities thereby ſecured, ſhall be, in proportion to the Terms therein reſpectively mentioned, Creditors on the ſaid Rates or Aſſeſſments, equally one with another, without any Preference in reſpect of the Priority of advancing ſuch Monies, or the Dates of any ſuch Mortgages, Aſſignments, Grants, or Orders reſpectively.

Appplication of the Money.

XXXIII. And be it further enacted, That all the Money to ariſe by or from the ſaid Rates or Aſſeſſments, and which may be borrowed or advanced upon or received for the Purchaſe of any Annuities on the Credit or Security thereof, ſhall be applied, in the firſt Place, in paying the Expences attending the obtaining and paſſing of this Act; and afterwards from Time to Time in paying the Intereſt of the Principal Money to be borrowed and the Annuities to be granted as aforeſaid, and all other the Purpoſes of carrying this Act into Execution, and in paying off the ſaid Principal Money in ſuch Manner as the ſaid Commiſſioners ſhall think proper.

Surplus Money on Rates how to be applied.

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

hundred Pounds shall be discharged in consequence of such Number being so drawn.

Notice to be given to Persons whose Assignments are to be paid off.

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

Power to borrow Money at lower Interest to discharge Securities at higher.

XXXVI. And be it further enacted, That in case the said Commissioners can at any Time borrow and take up any Sum or Sums of Money at a lower Rate of Interest than the Mortgages, Bonds, Assignments, or Securities which shall be then in force shall bear, it shall be lawful for the said Commissioners from Time to Time to charge the said Rates or Assessments in Manner aforesaid with such Sum or Sums of Money as they shall think proper, and the Interest thereof at such lower Rate as aforesaid, and to pay off and discharge the Assignments and Securities bearing a higher Rate of Interest.

Penalties on committing Obstructions or Nuisances.

XXXVII. And be it further enacted, That if any Person or Persons shall run, drive, or place, or cause to be run, driven, or placed, any Cart, Waggon, Dray, Truck, Sledge, Wheelbarrow, Coach, Chaise, or any other Carriage whatever, upon or over any of the Foot Pavements within the Limits of this Act, or wilfully ride, drive, or lead any Horse or other Beast, Pigs, or Cattle along or upon any of the said Foot Pavements, or if any Person shall set, place, or expose to sale any Goods, Wares, or Merchandize, either on the Foot-ways or Carriage-ways of any of the Streets or other Public Passages or Places within the Limits of this Act, or if any Person or Persons shall leave any Waggon, Cart, or other such Carriage in any of the said Streets, Passages, or Places, with or without Horses or other Cattle, for any longer Time than shall be necessary for the loading or unloading thereof, or if the same shall not be standing during such Time as near to the Side of such Street, Passage, or Place as conveniently may be, or any Stage Coach, Post Chaise, or other Carriage let to Hire (except Hackney Coaches), for any longer Time than shall be reasonable and necessary for taking up or setting down the Passengers, and loading or unloading their Baggage, or if any Person or Persons shall leave any Horse or other Cattle to stand at any Door, House, Rails, or elsewhere within the Limits aforesaid, so as to obstruct or incommode the Passage of any of the said Footways, or if any Person or Persons shall leave any Timber, Bricks, Stones, Wood, Goods, or

other Things in any of the ſaid Streets, Paſſages, or Places, for any longer Time than ſhall be neceſſary for removing or houſing the ſame, or if any Perſon or Perſons ſhall throw, caſt, or lay any Aſhes (except in Time of Froſt), Rubbiſh, Duſt, Dirt, Dung, or other Accumulation, Nuiſance, or Annoyance in any of the ſaid Streets, Paſſages, or Places, and ſuffer the ſame to remain there for any longer Time than ſhall be neceſſary for removing the ſame, or beat or duſt Carpets, or play at Foot-ball, or otherwiſe endanger Paſſengers in any of the ſaid Streets, Paſſages, or Places, then and in every ſuch Caſe every Perſon ſo offending ſhall forfeit and pay any Sum not exceeding Forty Shillings for each Offence.

Recovery and Application of Penalties and Forfeitures.

XXXVIII. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed (the Manner of levying and recovering whereof is not hereby particularly directed) ſhall be levied by Diſtreſs and Sale of the Offenders Goods and Chattels by Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid County of *Middleſex*, or other Place or County where the Offender ſhall reſide (which Warrant ſuch Juſtice is hereby required to grant, upon Confeſſion of the Party or Parties, or upon Information of any credible Witneſs or Witneſſes upon Oath, which Oath ſuch Juſtice is hereby empowered to adminiſter); and the Penalties and Forfeitures when recovered ſhall be paid to the Treaſurer or Treaſurers, or ſuch other Perſon or Perſons, as the ſaid Commiſſioners at any Meeting ſhall appoint for that Purpoſe, and be applied for the Purpoſes of this Act; and in caſe ſuch ſufficient Diſtreſs ſhall not be found, or ſuch Penalties or Forfeitures ſhall not be paid forthwith, it ſhall and may be lawful to and for ſuch Juſtice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe the Offender or Offenders to be committed to the Houſe of Correction for the ſaid County, City, Town, or Place, where he, ſhe, or they ſhall be or reſide, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges attending the Recovery thereof, ſhall be ſooner paid and ſatisfied.

Form of Conviction.

XXXIX. And for the more eaſy Conviction of Offenders againſt this Act, be it further enacted, That the Juſtice or Juſtices of the Peace, before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, or againſt any Rule, Order, or Regulation to be made by virtue or in purſuance thereof, ſhall or may cauſe the Conviction to be drawn up in the Words, or to the Effect following; (that is to ſay),

'BE it remembered, That on the Day of
'in the Year of our Lord
'is convicted before me [*or* us] of His Majeſty's Juſtices of
'the Peace, acting for the County of of having
'[*as the Offence ſhall be*] and I [*or* we] the ſaid
'do adjudge him [*or* them] to forfeit or pay for
'the ſame the Sum of . Given under
'my Hand and Seal [*or* our Hands and Seals] the Day and Year
'aforeſaid.'

XL. And

Inhabitants not to be incompetent Witneſſes.

XL. And be it further enacted, That in all Actions, Proſecutions, Informations, Cauſes, or Proceedings whatſoever relating to or concerning the Execution of this Act, no Inhabitant within the Hamlet of *Kentiſh Town* ſhall be deemed incompetent to give Evidence by reaſon of his or her being ſuch Inhabitant, or by reaſon of his or her being rated or aſſeſſed to or paying any of the Rates or Aſſeſſments to be impoſed by virtue of this Act.

Penalty on Witneſſes not attending.

XLI. And be it further enacted, That if any Perſon or Perſons ſhall be ſummoned as a Witneſs or Witneſſes, to give Evidence before the ſaid Commiſſioners, or any Juſtice or Juſtices of the Peace acting in the Execution of this Act, touching any Matter of Fact contained in any Information or Complaint for any Offence againſt this Act, or againſt any Rate or Order made in purſuance thereof, whether on the Part of the Proſecutors or the Perſon or Perſons complained of, and which Summonſes the ſaid Commiſſioners or any Two or more of them, and alſo ſuch Juſtice or Juſtices as aforeſaid, are hereby authorized to iſſue, where and in ſuch Caſes only as ſuch Commiſſioners, or ſuch Juſtice or Juſtices (as the Caſe may be) are made competent by this Act to hear and determine the ſame; and if any ſuch Perſon or Perſons ſo ſummoned as aforeſaid ſhall refuſe or neglect, after having been tendered a reaſonable Sum for his, her, or their Coſts, Charges, and Expences, to appear at the Time and Place for the Purpoſe appointed, without a reaſonable Excuſe for ſuch his, her, or their Refuſal or Neglect, to be approved of by ſuch Juſtice or Juſtices of the Peace, or Commiſſioners as aforeſaid, every ſuch Perſon or Perſons ſhall forfeit for ſuch Offence any Sum not exceeding Forty Shillings.

Diſtreſs not to be unlawful for want of Form.

XLII. And be it further enacted, That when any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Defect or Want of Form in the Summons or other Proceedings relating thereto; nor ſhall any Party or Parties be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity which ſhall afterwards be done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for ſpecial Damage in an Action on the Caſe; provided that no Plaintiff or Plaintiffs ſhall recover in any Action or Actions for ſuch Irregularity, unleſs Notice in Writing ſhall be given Seven Days before ſuch Action ſhall be commenced of ſuch intended Action, ſigned by the Attorney for the Plaintiff, ſpecifying the Cauſe of ſuch Action; nor ſhall the Plaintiff recover in ſuch Action if ſufficient Tender of Amends hath been made to him, her, or them, or his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful to and for the Defendant or Defendants in any ſuch Action, by Leave of the Court, after ſuch Action ſhall have been brought, at any Time before Iſſue joined to pay into Court ſuch Sum or Sums of Money as he, ſhe, or they ſhall think fit; whereupon ſuch Proceedings, Order, and Judgment

ſhall

shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Proceedings not to be quashed for want of Form.

XLIII. And be it further enacted, That no Order, Verdict, Assessment, Judgment, or other Proceedings made touching or concerning any of the matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary thereof in anywise notwithstanding.

Limitation of Actions.

XLIV. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act by Order of the said Commissioners, until Seven Days Notice shall be thereof given to the Clerk or Clerks to the said Commissioners, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Three Calendar Months after the Fact committed; and every such Action or Suit shall be laid or brought in the County or Place where the Matter shall arise and not elsewhere; and the Defendant or Defendants in every Action or Suit shall or may at his or their Election plead specially, or plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or if such Action or Suit shall be brought before Seven Days Notice shall have been thereof given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover such Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

Act not to extend to Marquis Camden's Estates in the Parish.

XLV. Provided always, and be it further enacted, That this Act shall not extend, nor shall any of the Powers or Authorities herein contained extend or be construed to extend, to any of the Houses, Streets, Roads, or other Places being the Estates or Property of the Most Honourable *John Jeffreys* Marquis *Camden*, in the Hamlet of *Kentish Town* aforesaid, or in *Camden Town*, or in any other Part of the said Parish of *Saint Pancras*.

Certain other Parts of Kentish Town excepted out of this Act.

XLVI. Provided also, and be it further enacted, That no Power or Authority by this Act vested in the said Commissioners shall extend or be construed to extend to any of the Houses, Streets, Roads, or other Public Places situate on certain Lands on the West Side of the Turnpike Road in *Kentish Town* aforesaid, belonging to *Richard Holmes*, *William Holmes*, and *Christopher Scott*, Esquires, which are lighted and watched by virtue of an Act passed in the Fifty-fifth Year of the Reign of His present

Majeſty, intituled *An Act for paving or gravelling, watching and lighting certain Places ſituate on the Weſt Side of the Turnpike Road in* Kentiſh Town, *in the Pariſh of* Saint Pancras *in the County of* Middleſex, *and for preventing Nuiſances and Annoyances therein.*

Act not to extend to certain Eſtates of Lord Southampton's;

XLVII. Provided alſo, and be it further enacted, That this Act ſhall not extend, nor ſhall any of the Powers or Authorities herein contained extend or be conſtrued to extend to the Manſion Houſe, Buildings, Grounds, and Premiſes called *Fitzroy Farm*, or to any other Houſes or Lands the Eſtates of the Right Honourable *Charles* Lord *Southampton* in the Hamlet of *Kentiſh Town* aforeſaid, or in any other Part of the ſaid Pariſh of *Saint Pancras*, except ſuch of the ſaid laſt-mentioned Houſes or Lands as are ſituate or lie next adjoining the Turnpike Road in *Kentiſh Town* aforeſaid, or *Milfield Farm Lane*.

nor to Lord Somers's Eſtates.

XLVIII. Provided alſo, and be it further enacted, That this Act ſhall not extend, nor ſhall any of the Powers or Authorities herein contained extend or be conſtrued to extend to any of the Houſes, Streets, Roads, or other Places being the Eſtates or Property of the Right Honourable *John Somers* Lord *Somers*, within the ſaid Pariſh of *Saint Pancras*.

Public Act.

XLIX. 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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