ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. lxxvi.

An Act for amending and enlarging the Powers of an Act of His preſent Majeſty, for repairing the Road from *Southwark* to *Deptford*, and other Roads therein mentioned; and for lighting, watching, and cleanſing certain Parts thereof, and other Places in the Pariſh of *Bermondſey*, in the County of *Surrey*. [7th *June* 1815.]

WHEREAS by an Act paſſed in the Twenty-ſecond Year of the Reign of His late Majeſty King *George* the Second, intituled *An Act for making a new Road from the Eaſt End of* New Street, *in the Pariſh of* Saint John Southwark, *to and through the ſeveral Places therein mentioned*; *and for keeping the ſame in Repair for the future*, divers Perſons therein are appointed Truſtees for putting the ſame into Execution, for the Term therein mentioned: And whereas by an Act paſſed in the Seventh Year of the Reign of His preſent Majeſty, intituled *An Act for enlarging the Term and Powers granted by an Act paſſed in the Twenty-ſecond Year of His late Majeſty King* George *the Second, for opening and making a new Road, from the Eaſt End of* New Street, *in the Pariſh of* Saint John Southwark, *to and through the ſeveral Places therein mentioned; and for keeping the ſaid Road in Repair for the future, and for repairing ſeveral other Roads adjoining thereto;* the ſaid former Act was further continued; And whereas by an Act made in

22 G. 2. c. 31.

7 G. 3. c. 64.

31 G. 3. c. 110. the Thirty-first Year of the Reign of His present Majesty, intituled *An Act for enlarging the Term, and for explaining, amending, and making more effectual the Powers of Two several Acts, passed in the Twenty-second Year of the Reign of His late Majesty King* George *the Second, and the Seventh Year of His present Majesty, for making a new Road from* New Street, *in the Parish of* Saint John Southwark, *to and through the several Places therein mentioned; and for keeping the same and several other Roads adjoining in Repair*, the Term of the said recited Acts was further extended; And whereas by an Act passed in the Thirty-eighth Year

38 G. 3. c. 23. of the Reign of His present Majesty, intituled *An Act for making a new Road or Street, from* Free School Street Southwark *to* Dockhead, *and from thence through* Hickman's Court, *otherwise* Rose Court, *to* Lilliput Hall Bridge, *in* Bermondsey; *and for enlarging for the Term of Twenty-one Years, and from thence to the End of the next Session of Parliament, the Term and Powers of Three Acts passed in the Twenty-second Year of His late Majesty King* George *the Second, and the Seventh and Thirty-first Years of His present Majesty, for making a new Road from* New Street *in* Southwark, *to and through the several Places therein mentioned; and for repairing the same, and other Roads adjoining*, the Trustees appointed in pursuance of the above recited Acts, were empowered to design and make a Road or Street, not less than Forty Feet in Breadth from *Free School Street*, in the Parish of *Saint John Southwark* aforesaid, through Part of *Three Oak Lane* to *Dockhead*, in the Parish of *Bermondsey* aforesaid, and from thence through *Hickman's Court* to *Lilliput Hall Bridge* in *Bermondsey* aforesaid; and for that Purpose to purchase certain Houses, Lands, Grounds, Buildings, and Erections therein mentioned; and the Term and Powers of the before mentioned Acts were further continued: And whereas by an Act passed in the Forty-third Year of the Reign of His

43 G. 3. c. 132. present Majesty, intituled *An Act for enlarging and altering the Term and Powers of several Acts of Parliament, for making a Road from* New Street Southwark *to the Places therein mentioned, and from* Free School Street Southwark *to* Dockhead *and* Lilliput Hall Bridge *in* Bermondsey; *and from the* Stone's End *in* Kent Street Southwark, *to* Dartford, *so far as respects the Road leading from the* Stone's End *in* Bermondsey Street, *towards* Saint Thomas-a-watering's; *and also for repairing and maintaining a certain Lane called* Long Lane *in the Parish of* Bermondsey *in the County of* Surrey, the Term of the said recited Acts was further continued for the Term of Twenty-one Years, to commence on the First Day of *September*, in the Year One thousand eight hundred and three, and from the Expiration thereof, to the End of the then next Session of Parliament: And whereas it will be of great Utility and Convenience to all Persons passing and repassing, if a certain public Foot Way in the Parishes of *Rotherhithe* and *Saint Paul Deptford*, leading from the Road comprised in the said recited Acts, situate near a House known by the Name of the *Red Lion*, in the Parish of *Rotherhithe*, to the said Road, at or near the East End of *Midway Place*, in the Parish of *Saint Paul Deptford*, was in future to be repaired and maintained by the Trustees for putting into Execution the said Acts: And whereas the several Parts of the Roads comprised in the said recited Acts, called the *Grange Road*, (being the before mentioned Road from the *Stone's End* in *Bermondsey Street* towards *Saint Thomas-a-watering's*) the *Spa Road*, and *The Neckinger*, all in the Parish of *Saint Mary Magdalen Bermondsey*, and also so much of *Blue Anchor Road*, as is within the Landside Division of the said Parish, and also the several Streets and Places herein-after mentioned; that is to say, *Evan's Place*, *Wright's Buildings*,

Buildings, *Page's Walk*, *Willow Walk*, *Crimſcot Street*, the *Grange Yard*, and *Fendall Street*, being Streets and Places adjoining or communicating with the ſaid Road called the *Grange Road*, and alſo *Abbey Road*, extending from a Houſe known by the Name of the *King John's Head*, to *The Neckinger*, all which Streets and Places are alſo within the Landſide Diviſion of the ſaid Pariſh of *Bermondſey*, are not duly and ſufficiently lighted, watched, and cleanſed: 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, *Henry Holder Blackburn*, *Joſhua Butterworth*, *Samuel Bevington*, *William Burgeſs*, *Nathaniel Carroll*, *Jeſſe Curling* junior, *William Martin Carter*, *George Choumert*, *John Dabbs*, *Beriah Drew* the younger, *John Dyer*, *George Davis*, *Charles Eaſton*, *Philip Finnimore*, *William Foſter*, *Joſeph Gutteridge*, *Thomas Gaitſkell*, *Henry Gaitſkell*, *James Hardwidge*, *Thomas Hayes*, *Jacob Hagen*, *John Hoſier*, the Reverend *Charles Hughes*, M. A. *William Jolliffe*, *Thomas Keeton*, *John Lewis*, *William Liddard*, *Thomas Larkin*, *Jonathan Lacey*, *Charles Miles*, *Edward Morgan*, *William Nottidge*, *James Newſome*, *Daniel Nelſon*, *William Thomas Nicolls*, *John Palmer*, *William Powell*, *George Phillips*, *Robert Rich*, *Hayter Reed*, *James Riley*, *John Rolls*, *John Reed*, *John Scott*, *William Surflen*, *William Shackleton*, *Thomas Smith*, *John Varnham*, *John Underſhell*, *Thomas Walker*, *Alexander Wright*, *Richard Watts*, *George Wood*, *John Williams*, *James Williamſon*, and *William Watts*, being Perſons inhabiting, occupying, poſſeſſing, or entitled unto Lands, Tenements, or Hereditaments, within the Pariſh of *Saint Mary Magdalen*, *Bermondſey*, in the County of *Surrey*, *Thomas Arnold*, *John Boyd*, *Daniel Brent*, *Jeſſe Curling*, *John Bryan Courthope*, *Thomas Courthope*, *John Bryan Courthope* the younger, *George Cawthorn*, *Joſeph Criſtall*, *Charles Carter*, *James Dunn*, *Henry Dawes*, *Allen Dalziell*, *James Grice*, *William Gaitſkell*, *George Lee*, *William Leſter*, *John Ladd*, the Reverend *Robert Middleton*, *Robert Newbald*, *William Northcote*, *John Preſton*, *William Punnett*, *Jeremiah Roſhier*, *Thomas Sewer*, *John Stoker Stoddard*, *Thomas Trump*, *Ebenezer Thompſon*, *William Woolcomb*, *Thomas Woodruff*, *William Wells*, *Thomas Wallace*, *Richard George Woodruff*, *Joſhua Young*, *William Blyvers Wallace*, *Thomas Horncaſtle*, *Gregory Jeremiah Briggs*, *Samuel Heygate*, and *John Atkins* the younger, being Perſons inhabiting, occupying, poſſeſſing, or entitled unto Lands, Tenements, or Hereditaments, within the Pariſh of *Saint Mary Rotherhithe*, in the ſaid County of *Surrey*, *Adam Bell*, *John Robinſon Bell*, *William Spencer Cooper*, *John Dudman*, *Robert Edmonds*, *George Emmett*, *William Edmonds*, *Matthew Finch*, *John Hooker*, *Edward Holt*, *John Hilliman*, *John Morgan*, *John Maſon*, *Thomas Oſwald*, *Stephen Parrell*, *Iſaac Parry*, *John David Rolt*, *John Sewer*, *Thomas Shipman*, *Charles Smith*, *James Hales Sheriff*, M. D. *William Young*, *Jonathan Dawes*, *James Jacobs*, *Thomas Agutter*, *William Whiffin*, *J. T. Atlee*, *William Barnes*, *Charles Fleming*, *Charles Ferguſon*, *John Beſt*, and *Samuel Gardiner*, being Perſons inhabiting, occupying, poſſeſſing, or entitled unto Lands, Tenements, or Hereditaments, within the Pariſh of *Saint Paul Deptford*, in the Counties of *Kent* and *Surrey*; and *Edward Bernard*, *Nicholas Cheminant*, *John Hall*, *Robinſon Kittoe*, *William Limbrey*, *John William Nelſon*, *William Payne*, and *Thomas Roberts*, being Perſons inhabiting, occupying, poſſeſſing, or entitled unto Lands, Tenements, or Hereditaments, within the Pariſh of *Saint Nicholas Deptford*, in the ſaid County of *Kent*, ſhall be and they are hereby appointed Truſtees for

Truſtees appointed.

carrying this Act and also the said recited Acts, so far as the same are not repealed by this or any former Act, into Execution.

New Trustees to be appointed on Vacancies happening by Death or otherwise.

II. And be it further enacted, That whenever the Number of the said Persons so appointed Trustees as aforesaid as inhabiting, occupying, possessing, or entitled unto Lands, Tenements, or Hereditaments, within any of the said several Parishes of *Saint Mary Magdalen Bermondsey*, *Saint Mary Rotherhithe*, *Saint Paul Deptford*, and *Saint Nicholas Deptford*, shall by Death or Refusal to act, or by ceasing to inhabit, occupy, possess, or be entitled unto any Lands, Tenements, or Hereditaments within any of the said Parishes, or by Absence from the Meetings of the said Trustees for the Space of Two Years, shall be reduced within or under the Number of Fifty-one Persons, so inhabiting, occupying, possessing, or being entitled unto Lands, Tenements, or Hereditaments within the Parish of *Saint Mary Magdalen Bermondsey*, or of Thirty-nine Persons so inhabiting, occupying, possessing, or being entitled unto Lands, Tenements, or Hereditaments, within the Parish of *Saint Mary Rotherhithe*, or of Thirty-three Persons so inhabiting, occupying, possessing or being entitled unto Lands, Tenements, or Hereditaments, within the said Parish of *Saint Paul, Deptford*, or of Six Persons so inhabiting, occupying, possessing, or being entitled unto Lands, Tenements, or Hereditaments, within the said Parish of *Saint Nicholas, Deptford*, then it shall and may be lawful to and for the Remainder of the said Trustees, or any Thirteen or more of them, by Writing or Writings, under their Hands and Seals, from Time to Time, at a Meeting to be held on the *Monday* next after the Twenty-fourth Day of *June* in every Year, to elect and appoint so many fit and able Persons inhabiting, occupying, possessing, or entitled unto Lands, Tenements, or Hereditaments, within the said several Parishes respectively, as will preserve and keep the Number of Trustees inhabiting, occupying, possessing, or entitled to Lands, Tenements, or Hereditaments, within the said Parish of *Bermondsey* to the Number of Fifty-one; within the said Parish of *Rotherhithe*, to the Number of Thirty-nine; within the said Parish of *Saint Paul Deptford*, to the Number of Thirty-three; and within the said Parish of *Saint Nicholas Deptford*, to the Number of Six.

Qualification of Trustees and Committee.

III. Provided always, and be it enacted, That no Person who shall hereafter be elected and appointed a Trustee or Committee-man, in the Execution of this or the said recited Acts, (except it be the Power of administering the Oath of Qualification hereafter mentioned) shall be capable of acting as such Trustee or Committee-man, unless he shall then be in his own Right, or in the Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear Yearly Value of Fifty Pounds, or possessed of or entitled to a Personal Estate of the Value of Two thousand Pounds, of which he shall make and subscribe an Oath before the Trustees or Committee, before he doth any Act whatever relating to the Powers of this Act, which Oath the Trustees or Committee, or any Two or more of them, are hereby empowered to administer, and the same shall be in the Words or to the Effect following; that is to say,

'I, *A. B.* do swear (*or being One of the Persons commonly called Quakers*, 'I, do solemnly affirm) that I am in my own Right, or in the Right 'of my Wife, (*if the Party shall be married, if not, the Words* or in the 'Right of my Wife *to be omitted*) in the actual Possession or Receipt of 'the Rents and Profits of Lands, Tenements, or Hereditaments, of the

'clear

'clear Yearly Value of Fifty Pounds, or poſſeſſed of or entitled to a Per-
'ſonal Eſtate of the Value of Two thouſand Pounds.'

Penalty on acting if not qualified.

And if any Perſon not being ſo qualified ſhall preſume to 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, by Action of Debt, or on the Caſe, or by Bill, Suit, or Information, together with Coſts of Suit, wherein no Eſſoign, Protection, or Wager of Law, or more than One Imparlance, ſhall be allowed, and wherein the Proof of Qualification ſhall lie on the Perſon proſecuted; and it ſhall be ſufficient on the Part of the Proſecutor, to prove that the Perſon ſo proſecuted had acted as a Truſtee or Committee-man, in the Execution of this or the ſaid recited Acts.

Four General Meetings to be held on fixed Days, and Special Meetings when required by Five Truſtees.

IV. And be it further enacted, That the ſaid Truſtees ſhall hold a General Meeting upon the *Mondays* next after the Twenty-fifth Day of *March*, the Twenty-fourth Day of *June*, the Twenty-ninth Day of *September*, and the Twenty-fifth Day of *December* in every Year; and that they ſhall alſo hold ſuch Special General Meetings as ſhall be neceſſary for executing the Powers of this and the ſaid recited Acts; and which ſaid Special General Meetings ſhall be ſummoned by the Clerk of the ſaid Truſtees, upon Requiſition in Writing made to him for that Purpoſe by any Five or more of the ſaid Truſtees, ſpecifying the Object for which ſuch Meeting is required; and the ſaid Clerk to the ſaid Truſtees ſhall thereupon convene ſuch Meeting by Circular printed Letters, to be ſent to each of the Truſtees, mentioning the Time, Place, and Object of the propoſed Meeting, and which Letters ſhall be forwarded by the Poſt, or otherwiſe, to the Truſtees, Three clear Days, at leaſt, before the Time appointed for ſuch Meeting.

Carriages conveying Military Stores not to be ſubject to Penalties for Overweight, &c.

V. And be it further enacted, That no Perſon owning or driving, or cauſing to be driven, any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majeſty's Forces, or conveying any Ordnance, or Barrack, or Commiſſariat or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight; nor ſhall any ſuch Waggon, Cart, or other Carriage, or the Horſe or Horſes drawing the ſame, while ſo employed be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for the Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to the Highways or Turnpike Roads, or in this or the ſaid recited Acts contained to the contrary notwithſtanding.

Truſtees may compound for Tolls.

VI. And be it further enacted, That it ſhall and may be lawful for the Truſtees, or any Five or more of them, from Time to Time, to compound and agree with any Bodies Politic or Corporate, or any Perſon or Perſons, for the paſſing of any Carriage, Horſes, Beaſts, or other Cattle travelling on the ſaid Roads, for all or any of the Tolls to be paid in reſpect thereof, for any Term not exceeding Twelve Months, at any one Time, which Compoſition Money ſhall be paid in advance, quarterly, or otherwiſe, as the ſaid Truſtees, or any Five or more of them, ſhall appoint, and in Default of ſuch Payment, the Compoſition or Agreememt with the ſaid Bodies

Politic or Corporate, or with the Perſon or Perſons making ſuch Default, ſhall from thenceforth be void, and all ſuch Compoſition Money ſhall be applied in ſuch Manner as the Tolls are hereby directed to be applied.

Diſputes concerning Tolls to be ſettled by a Juſtice of the Peace.

VII. And be it further enacted, That in caſe any Diſpute ſhall happen reſpecting the demanding or taking, or the Payment of Toll, or about the Amount of Toll due, or the Charges of keeping any Diſtreſs, ſuch Diſputes ſhall be heard and determined by ſome Juſtice of the Peace of the County in which the Cauſe of Diſpute ſhall ariſe, who, upon Application made to him for that Purpoſe, ſhall examine the Matter upon Oath (which Oath any ſuch Juſtice is hereby authorized and empowered to adminiſter) of the Parties, or other Witneſs or Witneſſes, and determine the Amount of the Tolls due, and other Matters in Diſpute between the Parties; and alſo aſſeſs the Charges of ſuch Diſtreſs, Keeping, and Sale; and alſo of the Attendance of any Perſon or Perſons for that Purpoſe on ſuch Juſtice; and may alſo award ſuch Coſts to either Party, as ſuch Juſtice ſhall think juſt and reaſonable; and ſuch Juſtice may by his Order or Warrant, levy the Coſts ſo awarded, by Diſtreſs and Sale of the Goods and Chattels of the Collector of ſuch Toll, or other Perſon; and for want of ſufficient Diſtreſs, may commit ſuch Perſon or Perſons to any Houſe of Correction within the County in which the Cauſe of Complaint ſhall have ariſen, for any Term not exceeding One Calendar Month, or until Payment of ſuch Coſts, and in caſe any Diſpute, Suit or Litigation, ſhall ariſe touching or in anywiſe relating to the ſaid Tolls, or the Recovery thereof, the Perſon or Perſons appointed to collect the ſame, or the Leſſee or Farmer thereof, or any other Perſon or Perſons, acting by or under the Authority of the ſaid Truſtees, ſhall not by reaſon thereof be, or be deemed incompetent, to give Evidence in any ſuch Diſpute, Suit, or Litigation.

Toll Collectors to put up their Names at Toll Houſes and liable to a Fine of Five Pounds for Miſbehaviour.

VIII. And be it further enacted, That every Toll Collector being Leſſee of the ſaid Tolls, or appointed either by the ſaid Truſtees, or by any ſuch Leſſee or Leſſees, to collect the Tolls payable at any Turnpike or Toll Gate to be continued or erected by virtue of the ſaid recited Acts, ſhall and he is hereby required to place his Chriſtian and Surname, painted on a board in legible Characters, in the Front, or ſome other conſpicuous Part of the Toll Houſe or Toll Gate, immediately upon his coming on Duty, each of the Letters of ſuch Name or Names, to be at leaſt Two Inches in Length, and of a Breadth in Proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and ſhall continue the ſame ſo placed, during the whole Time he ſhall be upon ſuch Duty; and if any Collector of the ſame Tolls ſhall not place ſuch Board as aforeſaid, and keep the ſame there during the Time aforeſaid, or ſhall demand or take a greater or leſs Toll from any Perſon than he ſhall be authorized to do by virtue of the Powers of this Act, or of the Orders and Reſolutions of the Truſtees, made in purſuance thereof, or ſhall demand and take a Toll from any Perſon or Perſons who ſhall be exempt from the Payment thereof, and claim ſuch Exemption; or ſhall refuſe to permit or ſuffer, or ſhall in any ways hinder any Perſon or Perſons from reading ſuch Chriſtian and Surname, or ſhall refuſe to tell his Chriſtian and Surname to any Perſon or Perſons who ſhall demand the ſame, on having paid the ſaid Tolls, or any of them, or ſhall in anſwer to ſuch Demand give a falſe Name or Names, or ſhall refuſe or neglect to

give a Ticket to denote the Payment of the Toll, when demanded, or upon the legal Toll being paid or tendered, ſhall unneceſſarily detain or wilfully obſtruct, hinder, or prevent any Paſſenger or Paſſengers from paſſing through any Turnpike or Toll Gate, or ſhall make uſe of any ſcurrilous or abuſive Language to any Truſtee, Treaſurer, Clerk, Surveyor, or other Officer, or any Paſſenger or Paſſengers; then, and in every ſuch Caſe, every ſuch Toll Collector ſhall forfeit and pay any Sum not exceeding Five Pounds for every ſuch Offence, as the Juſtice or Juſtices before whom the Information ſhall be laid, ſhall adjudge; and ſuch Penalty ſhall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Victuallers incapable of acting as Truſtees or Committee Men.

IX. Provided always, and be it further enacted, That no Victualler, or Perſon who ſhall ſell Ale, Wine, or other Spirituous Liquors, by Retail, ſhall be capable of acting as a Truſtee or a Committee Man, under this Act.

Clauſe in 22 G. 2. for digging Gravel repealed.

X. And whereas by the ſaid recited Act paſſed in the Twenty-ſecond Year of the Reign of His late Majeſty King *George* the Second, it is enacted, that it ſhall and may lawful to and for the Surveyor or Surveyors to the ſaid Truſtees, and ſuch Perſon or Perſons as he or they ſhall appoint to dig, gather, take, and carry away, any Gravel, Furze, Heath, Sand, Stones, or other Materials for repairing the ſaid Road, out of any Waſte or Common Grounds in any Pariſh, Town, Village, or Hamlet, in or near the ſaid Road thereby directed to be made and repaired, and for want of ſufficient Quantities of Gravel, Furze, Heath, Sand, Stones, or other Materials in ſuch Places, to dig, gather, take, and carry away the ſame out of the Waſte or Common of or in any neighbouring Pariſh, Town, Village, or Hamlet, without paying any Thing for ſuch Gravel or Materials, ſuch Surveyor or Surveyors filling up and levelling the Holes and Pits of all ſuch Commons or Waſte Grounds from whence ſuch Gravel or other Materials ſhall have been ſo taken; and where there is not a ſufficient Quantity of ſuch Materials in any Commons or Waſte Grounds next adjoining, it ſhall and may be lawful for ſuch Surveyor or Surveyors, by Order of the ſaid Truſtees, or any Five or more of them, to dig and gather ſuch Materials in the Grounds of any Perſon or Perſons (not being an Orchard, Garden, Park, Paddock, Wood, Coppice, Nurſery, planted Walk, or Avenue to a Houſe) where any ſuch Materials are or may be found, and from Time to Time to carry away ſuch and ſo much thereof as the ſaid Surveyor or Surveyors ſhall judge neceſſary, for making and repairing the ſaid Road, or any Part thereof, paying ſuch Rate for ſuch Materials to the Owner or Occupier of the ſaid Ground whereon and from whence the ſame ſhall be digged, gathered, and carried away, as the ſaid Truſtees appointed or to be appointed, to put the ſaid Act in Execution, or any Five or more of them, ſhall judge reaſonable; and in caſe of any Difference concerning the ſame, between ſuch Owner or Occupier, and the ſaid Truſtees, touching the Damage aforeſaid, the Juſtices of the Peace at the next General Quarter Seſſions to be holden for the County where and from whence the ſaid Materials ſhall have been digged, gathered, or carried away, ſhall and may adjudge, aſſeſs, and finally determine the ſame; now be it enacted, That the ſaid Clauſe ſhall be, and the ſame is hereby repealed.

XI. And

For getting Materials to repair the Road.

XI. And be it further enacted, That it ſhall be lawful for the Surveyor or Surveyors of the ſaid Roads, and all ſuch Perſon or Perſons as he or they ſhall employ to ſearch for, dig, cut, gather, get, and take away any Stones, Gravel, Chalk, Underwood, Furze, Heath, Sand, or other Materials proper for amending, altering, or improving, or repairing the ſaid Road, out of any Waſte Ground or Common, or out of any common River, or Brook, in any Pariſh, Hamlet, Townſhip or Place in which any Part of the ſaid Road ſhall lie or be ſituate, or in any adjoining Pariſh, Hamlet, Townſhip, or Place within the ſaid Counties of *Surrey* and *Kent*, without paying any Thing for the ſame, they the ſaid Surveyor or Surveyors, or other Perſon or Perſons, filling up the Pits or Quarries, levelling the Ground, or ſloping down the Banks where ſuch Materials ſhall be taken, or railing or fencing off ſuch Pits or Quarries, ſo that the ſame may not be dangerous to Paſſengers or Cattle, and if a ſufficient Quantity of ſuch Materials cannot be had or found in or upon ſuch Waſte Ground or Common, or in ſuch common River or Brook contiguous to that Part of the ſaid Roads therewith to be repaired, or ſo near or convenient as the ſame can be found and gotten, then, and in ſuch Caſe, the Surveyor or Surveyors, or other Perſons as aforeſaid, may by Order of any Juſtice or Juſtices of the Peace, for either of the ſaid Counties of *Surrey* and *Kent*, to be made upon the Application of the ſaid Truſtees, or any Five or more of them, ſearch for, dig, cut, gather, get, and take away, any ſuch Materials in and out of the Lands, Fields, or Grounds of any Perſon or Perſons, in any Pariſh, Hamlet, or Townſhip, or Place in which any Part of the ſaid Road ſhall lie or be ſituate, where the ſame may be had or found, (ſuch Lands, Fields, or Grounds, not being a Garden, Orchard, Yard, Park, Paddock, Walk or Walks, or Avenue to a Houſe, or any Piece of Ground planted and ſet apart as a Nurſery for Trees) making or tendering ſuch Satisfaction for the Damage done to the Owners and Occupiers of any ſuch Lands, Fields, or Grounds, where and from whence the ſame ſhall be dug, gathered, and carried away, or over which the ſame or any other Materials proper for amending, altering, improving, or repairing the ſaid Road ſhall be carried, as ſhall be agreed upon between them and ſuch Owner or Occupier; or in caſe of their not agreeing, then, as One or more Juſtice or Juſtices of the Peace acting in and for either of the ſaid Counties of *Surrey* and *Kent*, ſhall and may adjudge and determine to be reaſonable, which Judgment or Order of the ſaid Juſtice or Juſtices therein, ſhall be final and concluſive to all Parties.

Notice to be given before Materials taken.

XII. Provided nevertheleſs, and be it further enacted, That it ſhall not be lawful for any Surveyor, or any Perſon or Perſons acting under the Authority of this Act, to dig, cut, gather, get, take, or carry away any Materials proper for repairing ſuch Roads, out of or from any incloſed Land or Ground, until Notice in Writing, ſigned by the Surveyor, ſhall have been given to the Occupier of the Premiſes from which ſuch Materials are intended to be taken, or left at the Houſe or laſt or uſual Place of Abode of ſuch Occupier, to appear before any One or more Juſtice or Juſtices of the Peace acting in and for the Counties in which ſuch Land or Grounds ſhall lie, to ſhew Cauſe why ſuch Materials ſhall not be had from ſuch Lands or Grounds; and in caſe ſuch Occupier or Agent ſhall attend purſuant to ſuch Notice, but ſhall not ſhew ſufficient Cauſe to the contrary, ſuch Juſtice or Juſtices ſhall, if he or they think meet, authorize ſuch Surveyor or other Perſons, to dig, gather, get, take and carry away ſuch Materials

Materials at ſuch Time or Times as to ſuch Juſtice or Juſtices ſhall ſeem proper, and if ſuch Occupier ſhall neglect or refuſe to appear by himſelf or Agent, ſuch Juſtice or Juſtices may, (upon Proof on Oath of the Service of ſuch Notice, and which Oath they, or any of them, are hereby empowered to adminiſter) make ſuch Order therein as they ſhall think fit, as fully and effectually, to all Intents and Purpoſes, as if ſuch Occupier or his Agent had attended.

Foot-path from the Half-way Houſe to Midway Place, to be repaired by the Truſtees.

XIII. And be it further enacted, That it ſhall and may be lawful to and for the Truſtees for putting into Execution this and the ſaid recited Acts, and they are hereby authorized from Time to Time, as Occaſion may require, to repair, ſupport, ſuſtain, and maintain the ſaid Public Footway before-mentioned, to be ſituate in the ſaid Pariſhes of *Rotherhithe*, and *Saint Paul, Deptford*, and to pay and diſcharge the Expences thereof, by and out of the Tolls, Duties, and Payments by this and the ſaid Acts made payable.

Perſons taking Materials and Scrapings off the Roads, ſubject to a Penalty.

XIV. And be it further enacted, That if any Perſon or Perſons ſhall take away, or cauſe or procure to be taken away, any of the Gravel, Stones, Rubbiſh, or other Materials brought or laid upon the ſaid Roads, or any of them, or any Part or Parts, or the Side or Sides thereof, for the Repair or Amendment thereof, or any of the Scrapings of the ſame Road or Roads, or any of them, without the Permiſſion of the ſaid Truſtees, or of the Surveyor or Surveyors of the ſaid Roads, every Perſon ſo offending ſhall forfeit and pay unto the Treaſurer of the ſaid Roads for the Uſe thereof, for every ſuch Offence, a Sum not exceeding Five Pounds and not leſs than Twenty Shillings, together with all Coſts and Charges attending the Recovery thereof.

Notice of breaking up Roads, for repairing Water Pipes, to be given to Truſtees.

XV. And be it further enacted, That before any Part of the ſaid Roads, Streets, Lanes, Ways, or Places comprized in this or the ſaid recited Acts, or any of them, ſhall be taken or broken up for the Purpoſe of making, repairing, altering, cleanſing, or emptying, any Sewer, Vault, or Drain, or of laying, altering, or amending, any Water Pipe or Plug, or for any other Purpoſe whatſoever, the Perſon or Perſons intending to take or break up ſuch Road, Street, Lane, Way, or Place, or the Perſon or Perſons intending to cauſe ſuch Road, Street, Lane, Way, or Place, to be taken or broken up, ſhall give Notice thereof, in Writing, ſigned with his Name and Place of Abode, and ſpecifying whether the ſame is intended to be done by the Order, or for the account of any Company or Proprietors of Water Works, Commiſſioners of Sewers, or other Perſon or Perſons, to the Surveyor or Surveyors to the Truſtees for putting into Execution this and the ſaid recited Acts; and in caſe any Perſon or Perſons taking or breaking up the ſaid Road, Street, Lane, Way, or Place, or cauſing the ſaid Road, Street, Lane, Way, or Place to be taken or broken up, ſhall neglect to give ſuch Notice to the ſaid Surveyor or Surveyors, or to leave the ſame, or cauſe the ſame to be left at the Dwelling-houſe of the ſaid Surveyor for the Space of Twenty-four Hours thereafter, ſuch Perſon ſhall, for every ſuch Neglect or Omiſſion, forfeit and pay any Sum not exceeding Five Pounds, and not leſs than Twenty Shillings, together with the Coſts, Charges, and Expences of recovering the ſame.

Roads to be afterwards put into Condition by the Truſtees, and the Expences repaid by the Party breaking up the Road.

XVI. And be it further enacted, That when and as often as the ſaid Roads, Streets, Lanes, Ways, or Places ſhall be taken or broken up as aforeſaid, the ſame ſhall be laid down and repaired, and put into Condition, under the Inſpection of the Surveyor or Surveyors to the ſaid Truſtees, by and at the Coſts and Charges of the ſaid Truſtees, who ſhall be reimburſed the ſame by the Company or Proprietors of ſuch Water Pipes or Plugs, or by the Commiſſioners of Sewers, or other Perſon or Perſons who ſhall cauſe, order, or direct the ſaid Road, Street, Lane, Way, or Place ſo to be taken and broken up; and in caſe ſuch Company or Proprietors, Commiſſioners of Sewers, or other Perſon or Perſons ſhall neglect or refuſe to pay the Coſts and Charges ſo incurred by the ſaid Truſtees, within Fourteen Days next after Notice thereof in Writing, ſigned by the ſaid Surveyor, and annexed to a Copy of the Bill, containing an Account of ſuch Coſts and Charges, to be left at the Office of ſuch Company or Proprietors, or of ſuch Commiſſioners of Sewers, or at the Dwelling Houſe or laſt Place of Abode of the Clerk or Secretary or Agent thereof, or of ſuch Perſon or Perſons, then it ſhall and may be lawful to and for the ſaid Truſtees for putting this and the ſaid recited Acts into Execution; and they are hereby authorized and empowered to bring and proſecute, or cauſe to be brought and proſecuted, any Action or Actions, in the Name of any Two or more of them, the ſaid Truſtees for the Time being, for Recovery of, and therein to recover ſuch Coſts and Charges, with Treble Coſts, in which Action no Eſſoign or Wager of Law, or more than One Imparlance ſhall be allowed.

Roads to be ſecured againſt Accidents by the Perſons breaking up the ſame.

XVII. Provided always, That the Perſon or Perſons ſo taking or breaking up the ſaid Roads, Streets, Ways or Places, ſhall in the mean Time, until the ſame ſhall be ſo repaired and put into Condition, ſecure the Part or Parts thereof in ſuch Manner as to prevent any Damage or Inconvenience happening to Paſſengers, Cattle or Carriages, upon Pain of forfeiting to the ſaid Truſtees, for the Uſe of the ſaid Roads, the Sum of Five Shillings for every Hour the ſame ſhall remain open, or improperly or not ſecured, together with the Coſts and Charges of recovering the ſame.

Truſtees empowered to purchaſe certain Houſes in the Line of the intended Free School Street Road.

XVIII. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, are hereby authorized and empowered to contract for and purchaſe the ſeveral Meſſuages or Tenements, with the Gardens, Yards, and other Appurtenances thereto belonging, ſituate and being in the Pariſh of *Saint John, Southwark*, in the County of *Surrey*, now or late in the ſeveral Occupations of *James Kenning*, *Simon Davis* late *John Cartwright*, *Grace Weedon*, *Catharine Bailey*, *Jacob Spicer*, and *John Moody*, or ſo many or ſo much, or ſuch Part or Parts thereof, or of any of them, as they the ſaid Truſtees ſhall think neceſſary to be purchaſed for the Purpoſes of the ſaid recited Act paſſed in the Thirty-eighth Year of the Reign of His preſent Majeſty, and to take a Conveyance or Conveyances of the ſame, as the Caſe may require; and in caſe the Owners or Occupiers of the ſaid Premiſes ſhall neglect or refuſe to ſell the ſame to the ſaid Truſtees, or cannot be found, then all and every the Powers, Clauſes, Matters, and Things in the ſaid ſeveral recited Acts, or any of them, contained for the Purchaſe and obtaining Poſſeſſion of Lands, Tenements, and Hereditaments thereby authoriſed to be taken or purchaſed by the ſaid Truſtees, ſhall extend and be applied and enforced for obtaining the ſaid Meſſuages

Meſſuages or Tenements, Gardens, Yards, and Appurtenances, or any Part thereof, or any of them, to be taken or purchaſed by virtue of this Act; and alſo for the re-ſelling and diſpoſing of any Part or Parts thereof, or of any of them, not wanted for the Purpoſes of the ſaid recited Act paſſed in the Thirty-eighth Year of the Reign of His preſent Majeſty, as if the ſame were herein inſerted or enacted.

Map of Free School Street Road and Book of Reference to remain with the Clerk of the Peace.

XIX. And whereas a Map or Plan, deſcribing the Line of the Road ſo to be made by the ſaid Truſtees in virtue of this and the ſaid recited Act paſſed in the Thirty-eighth Year of the Reign of His preſent Majeſty, together with a Book of Reference, containing a Liſt of the Names of the Owners and Proprietors of the Lands and Houſes to be purchaſed under this Act, have been depoſited at the Office of the Clerk of the Peace for the County of *Surrey*; be it therefore enacted, That the ſaid Map or Plan and Book of Reference ſhall remain in the Cuſtody of the Clerk of the Peace of the ſaid County, to the end that all Perſons may at all ſeaſonable Times have Liberty to peruſe and inſpect the ſame reſpectively at their Will and Pleaſure, and to have Copies thereof, paying to the ſaid Clerk of the Peace the Sum of One Shilling for every ſuch Inſpection, and at the Rate of Sixpence for every One hundred Words and Figures for the making of any Copy or Extract from the ſame.

No Houſe, &c. to be taken for Free School Street Road without Conſent of the Owner, except thoſe ſpecified in the Schedule to this Act.

XX. And be it further enacted, That nothing in this or the ſaid recited Act, paſſed in the Thirty-eighth Year of the Reign of His preſent Majeſty, contained ſhall extend or be conſtrued to extend to enable the ſaid Truſtees to take, uſe, injure or damage, for the Purpoſes of this or the ſaid Act, any Houſe, or any Land or Ground now ſet apart and uſed as and for a Garden, Orchard, Yard, Park, Paddock, planted Walk or Avenue to a Houſe, without the Conſent of the Owner thereof reſpectively, other than and except the ſeveral Houſes, Lands, Grounds, Gardens, Orchards, Yards, Buildings, Erections, and Hereditaments mentioned or ſpecified in the Schedule to this Act.

In caſe of not making out Titles, Purchaſe Monies to be paid into the Bank of England.

XXI. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be adjudged or awarded by or for the Purchaſe of any Lands or Hereditaments to be purchaſed by virtue of this and the ſaid recited Acts, or any of them, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes to the Satisfaction of the ſaid Truſtees; or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found, or if the Perſon or Perſons entitled to ſuch Lands or Hereditaments be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Lands or Hereditaments [deſcribing them], ſubject to the Order, Controul, and Diſpoſition of the ſaid High Court of Chancery, which ſaid Court, on the Application of any Perſon or Perſons making claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered in a ſummary Way of Proceeding, or otherwiſe

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as to the ſame Court ſhall meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtates, Title, or Intereſt of the Perſons making claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums, is and are hereby required to give a Receipt or Receipts for the ſame, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Treaſurer to give Security.

XXII. And be it enacted, That the ſaid Truſtees ſhall and they are hereby required to take ſuch Security from their Treaſurer for the Time being, for the due Execution of the ſaid Office, as they ſhall think proper, or otherwiſe to ſuffer ſuch Security as may have already been given to remain.

Committee appointed to light, &c. certain Roads and Places in the Land-ſide Diviſion of Bermondſey.

XXIII. And be it further enacted, That ſuch of the Truſtees appointed, or hereafter to be appointed for putting into Execution this and the ſaid recited Acts, as are or may for the Time being be reſident in the Land-ſide Diviſion of the Pariſh of *Saint Mary Magdalen, Bermondſey*, or who may be poſſeſſed of, intereſted in, or entitled to any Houſes, Lands or Tenements, by any Manner of Means, ſituate and being in the ſaid Diviſion of the ſaid Pariſh, together with *David Aſquith, Thomas Aſquith, Francis Bryant, Francis Brewen, Ellis Brewen, Joſeph Barton, John Barton, Bryan Donkin, William Furnell, John Gamble, John Hoſier, Bowles Jordan, Samuel Jackſon, William Johnſon, Thomas Lawrance, John Fortune May, John Maunder, Thomas Norton, Joſeph Nicholſon,* the Rev. *John Rippon*, D.D. *Alexander Roſs, Mark Spencer, Samuel Henry Sterry, Thomas Smith* of the *Spa Road, Thomas Schofield, John Whayman*, and *James Williams*, ſhall be and are hereby appointed a Committee for lighting, watching, and cleanſing the ſeveral Roads, Streets, Courts, Yards, Alleys, Walks, and Paſſages herein-after mentioned, and for executing the ſeveral Powers and Authorities herein-after given and enacted reſpecting the ſame, that is to ſay, the ſaid Roads called *The Grange Road, The Spa Road,* and *The Neckinger;* and alſo ſo much of the ſaid Road, called *Blue Anchor Road,* as is within the Land-ſide Diviſion of the ſaid Pariſh of *Bermondſey*, and the ſaid ſeveral Streets and Places herein-after mentioned; that is to ſay, *Evans's Place, Wright's Buildings, Pages's Walk,* the *Willow Walk, Crimſcot Street,* the *Grange Yard,* and *Fendall Street;* and alſo ſo much of the Street or Road called *Abbey Street* or *Abbey Road* as extends from the Houſe before mentioned, called *The King John's Head* to *The Neckinger*, and all Courts, Yards, Alleys, and Paſſages immediately communicating with the ſame ſeveral Roads, Streets and Places, except *Grange Walk*, and a Paſſage leading from *Bermondſey Square* to the *Grange Road.*

Meetings to be held, and Regulations for Proceedings thereat.

XXIV. And be it further enacted, That the ſaid Committee ſhall, on the Third *Wedneſday* next after the paſſing of this Act, meet together at the Veſtry Room of the ſaid Pariſh of *Bermondſey*, between the Hours of Ten of the Clock in the Forenoon and One of the Clock in the Afternoon, and afterwards from Time to Time at ſuch Places, and at ſuch Days and Times, as they ſhall think proper, for the Purpoſe of carrying into Exe-

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cution the Powers and Authorities hereby veſted in them; and that all ſuch Powers and Authorities ſhall from Time to Time be exerciſed or enforced at a Meeting to be held in purſuance of this Act, the Number of the ſaid Committee preſent not being leſs than Three; and when and ſo often as it ſhall happen that there ſhall be an equal Number of Votes upon any One Queſtion, including the Vote of the Chairman for the Time being, then it ſhall and may be lawful to and for the ſaid Chairman to give the caſting or deciſive Vote.

Vacancies in Committee to be ſupplied by others.

XXV. And be it enacted, That in caſe of the Death, Refuſal to act, or Removal out of the ſaid Land-ſide Diviſion, if now reſident therein, of any of the Committee particularly deſcribed by Name, it ſhall be lawful for the Committee from Time to Time to elect One other Perſon, inhabiting or occupying within the Land-ſide Diviſion of the ſaid Pariſh, to be of the Committee in the room and ſtead of the Perſon ſo dying or refuſing to act; and every Perſon ſo elected ſhall be and is hereby veſted with the ſame Powers for putting this Act into Execution as the Perſon in whoſe Place he ſhall be elected was veſted with; and ſo often as any Death, Refuſal, or Removal of any Perſon elected at any Time hereafter ſhall happen, ſuch Election may take place to ſupply the Vacancy occaſioned thereby.

Clerk to appoint Meeting in caſe of Non-attendance of a ſufficient Number of the Committee.

XXVI. And be it further enacted, That if at any Meeting there ſhall not appear a ſufficient Number of the ſaid Committee to act, or in caſe the ſaid Committee ſhall at any Time neglect to adjourn, the Clerk to the ſaid Committee ſhall appoint a Meeting of the ſaid Committee to be held at the ſame Place where the laſt Meeting ſhall have been, or ſhall have been appointed to have been held, by public Notice in Writing, to be affixed at leaſt Two Days before the Day appointed by ſuch Notice for ſuch Meeting, on the principal Door of the Pariſh Church of *Bermondſey* aforeſaid; and in caſe the ſaid Clerk ſhall die, or be incapable of acting before the Appointment of ſuch Meeting, or ſhall refuſe or neglect to make ſuch Appointment when required by any Two or more of the ſaid Committee, then any Two or more of the ſaid Committee ſhall and may, by the like Public Notice, appoint the ſaid Committee to meet on ſuch Day and Time as they ſhall think proper, at the Place where the laſt Meeting was held; and the ſaid Committee at all their Meetings ſhall defray their own Expences, except the Expence for the Room of Meeting.

Minute Book to be kept.

XXVII. And be it further enacted, That all Acts and Proceedings of the Committee ſhall be entered in a Book or Books to be kept for that Purpoſe, and ſigned by the Chairman of the Meeting, or by Three or more of the Committee preſent thereat, and which Book or Books ſhall be depoſited with and kept by the Clerk, and be produced at every of the ſaid Meetings; and all ſuch Acts, Orders, and Determinations ſo entered and ſigned, ſhall be deemed and taken to be Evidence of the Proceedings therein mentioned; and ſuch Book or Books ſhall or may be produced and read accordingly as Evidence, and allowed as ſuch in all Courts of Juſtice whatſoever.

Actions to be brought in the Name of Two of the Committee.

XXVIII. And be it enacted, That any Action which ſhall or may be brought by the ſaid Committee in purſuance of the Powers hereby given to them, or any Way touching or relating to this Act, or any of the Matters

Matters thereof, ſhall be brought or inſtituted in any of His Majeſty's Courts of Record at *Weſtminſter*, in the Names of any Two of the ſaid Committee for the Time being; and that no ſuch Action ſhall abate or be diſcontinued by the Death or Removal of ſuch Two of the Committee, or either of them: Provided always, that ſuch Perſons and each of them ſhall always be reimburſed and paid, out of the Monies to ariſe by virtue of the Rates or Aſſeſſments to be made in purſuance of this Act, all ſuch Damages, Coſts and Charges, which they or either of them ſhall be put to or become chargeable with by reaſon of ſuch Action.

Roads to be lighted.

XXIX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Committee, and they are hereby authorized and empowered from Time to Time, to cauſe ſo many Lamp Irons, Lamp Poſts, and Pipes, to be put or affixed in, under, or upon the ſaid Roads or Places hereby authorized to be lighted and watched, or unto, upon, or againſt any Houſe, Building or Tenement, or the Walls, Fences, or Palliſadoes within or next or adjoining thereto, as they ſhall think proper and convenient; and to remove and alter ſuch Irons, Poſts, and Pipes, as they ſhall think meet, making good all Damage occaſioned thereby; and alſo to cauſe ſuch Number of Lamps of ſuch Sizes and Sorts to be provided and placed in or upon ſuch Lamp Irons or Lamp Poſts, and ſuch other Works to be done and performed, as they ſhall think proper or neceſſary for lighting the ſaid Roads and Places ſo to be lighted and watched, or any of them, for and during ſuch Hours and Seaſons as to them from Time to Time ſhall be thought proper; and alſo from Time to Time to contract with any Perſon or Perſons for providing, lighting, maintaining, cleanſing, and repairing the ſaid Lamps, Irons, Poſts, and Pipes.

Penalty on wilfully damaging Lamps.

XXX. And be it further enacted, That if any Perſon or Perſons ſhall wilfully take away, break, throw down, or damage any Lamp that ſhall be ſet up or placed as aforeſaid, or ſhall wilfully extinguiſh the Light or Lights within the ſame, or take or throw away any of the Oil from and out of the ſaid Lamps, or throw down or damage the Poſts, Irons, Pipes, or other Furniture thereof, it ſhall and may be lawful for any One or more Juſtice or Juſtices of the Peace for the County of *Surrey*, and he and they is and are hereby required, upon Oath made of the Commiſſion of any ſuch Offence, to iſſue a Warrant or Warrants for apprehending the Party or Parties accuſed; or it ſhall be lawful to and for any Perſon or Perſons whomſoever, who ſhall ſee ſuch Offence committed, to ſeize, as alſo for any other Perſon or Perſons to aſſiſt in ſeizing ſuch Offender or Offenders, and by the Authority of this Act, without any other Warrant, to convey and deliver him, her or them, into the Cuſtody of a Peace Officer, or otherwiſe to ſecure ſuch Offender, in order to be conveyed before ſome Juſtice of the Peace for the ſaid County, as ſoon as conveniently may be; and ſuch Juſtice ſhall proceed to examine upon Oath any Witneſs or Witneſſes who ſhall be produced to give Evidence touching ſuch Offence, which Oath the ſaid Juſtice is hereby authorized and required to adminiſter; and if the Party or Parties accuſed ſhall be convicted of any ſuch Offence, either by his, her, or their Confeſſion, or upon ſuch Evidence as aforeſaid, he, ſhe, or they ſo convicted, ſhall forfeit and pay the Sum of Forty Shillings for each Lamp or Lamp Iron, Poſt, Pipe, Furniture, and Oil, ſo broken, taken, thrown down or damaged, or for every Light ſo extinguiſhed as aforeſaid; and moreover ſhall make ſuch Satisfaction to

the ſaid Committee, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, for the Damage ſo by him, her, or them done as aforeſaid; and in caſe ſuch Offender or Offenders ſhall not on Conviction pay ſuch Forfeiture, and make ſuch Satisfaction as aforeſaid, ſuch Juſtice is hereby required to commit him, her, or them to the Houſe of Correction for the ſaid County, there to be kept to hard Labour for any Space of Time not exceeding Three Months nor leſs than Two Days, and ſuch Offender or Offenders ſhall not be diſcharged before the Expiration of the Time for which he, ſhe, or they ſhall be ſo committed, unleſs ſuch Forfeiture and Satisfaction ſhall be ſooner paid and given.

Perſons accidentally damaging Lamps, &c. to make Satisfaction.

XXXI. And be it further enacted, That if any Perſon or Perſons ſhall careleſsly or accidently break, throw down, or damage any Lamp or Lamps ſet up by Order of the ſaid Committee, or any of the Poſts, Irons, Pipes, or other Furniture thereof, or Waſte any of the Oil of the ſaid Lamps, and ſhall not immediately, on Demand, make Satisfaction to the ſaid Committee, for the Damage thereto done, then and in every ſuch Caſe it it ſhall and may be lawful to and for any One Juſtice of the Peace, in and for the ſaid County, upon Complaint to him made by any One of the ſaid Committee, to ſummon before him the Party or Parties who ſhall do ſuch Damages; and upon hearing the Allegations and Proofs on both Sides, or in caſe of the Non-appearance of the Party or Parties complained againſt, to award ſuch Sum or Sums of Money by way of Satisfaction to the Owner or Owners of ſuch Lamp or Lamps, Poſts, Irons, Pipes, Furniture, or Oil, or to the ſaid Committee, as the Caſe ſhall be, for ſuch Damage, as ſuch Juſtice ſhall think reaſonable; and in caſe of Neglect or Refuſal to pay forthwith ſuch Sum or Sums of Money, the ſaid Juſtice ſhall cauſe the ſame to be levied and raiſed by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, rendering to him, her, or them upon Demand, the Overplus of the Monies, ariſing by ſuch Sale, after a Deduction thereout of the Charges of proſecuting ſuch Complaint, and of ſuch Diſtreſs and Sale; and in caſe ſufficient Diſtreſs cannot be found, ſuch Juſtice ſhall commit the Offender to the Common Gaol or Houſe of Correction for the County of *Surrey*, for any Time not exceeding Three Months, or until he or ſhe pay the Sum ſo awarded, together with ſuch Coſts and Charges.

Committee to provide Watch-houſes, Watch-boxes, Watchmen, and Beadles.

XXXII. And be it further enacted, That the ſaid Committee ſhall and may if they ſee Occaſion, cauſe any Watch-houſe or Watch-houſes to be built; and alſo ſuch Number of proper Watch-boxes to be purchaſed, provided, erected, and built as they ſhall think fit, and appoint ſuch a Number of fit and able-bodied Men, as Watchmen, Guards, or Patroles, either on Foot or on Horſeback, as they ſhall think proper from Time to Time, to watch and guard the ſaid Roads and Places herein-before mentioned, ſo hereby authorized to be lighted and watched, with One or more Perſon or Perſons to act as Superintendant or Superintendants of the ſaid Watchmen, Guards, or Patroles, and give and make ſuch Rules, Orders and Regulations, concerning the Manner in which the ſaid Superintendants, Watchmen, Guards or Patroles ſhall be armed, and for the watching and guarding the ſaid Roads, Streets, and Places, and keeping the Peace thereon or therein, as they the ſaid Committee ſhall judge expedient, and from Time to Time to remove any of the ſaid Superintendants, Watchmen, Guards, or Patroles, and appoint others in their ſtead, as Occaſion ſhall require, and out of the Money to be raiſed by virtue of this Act, pay the

Expences

Expences of purchaſing, building, and fitting up ſuch Watch-houſes and Watch-boxes, and alſo ſuch Allowances or Payments as the ſaid Committee ſhall think proper to make or give to ſuch Superintendants, Watchmen, Guards, and Patroles, for their Attendance, Trouble, and Labour, in the Performance of their reſpective Duties; and alſo to pay and defray all other neceſſary Charges and Expences incident to and attending the Execution of the Powers and Authorities hereby given to them.

The Duty of Watchmen and Beadles.

XXXIII. And be it further enacted, That the ſaid Superintendants, Watchmen, Guards, and Patroles ſhall, and they are hereby required to uſe their beſt Endeavours to prevent all Miſchief by Fire, and all Murder, Burglaries, Robberies, Diſturbances, and Breaches of the Peace, and all Riots, Outrages, Miſdemeanors, Indecencies, or Diſorders, on or in the ſaid Roads and Places, and to that end ſhall and they and every of them are hereby empowered and required without further Warrant to arreſt, apprehend, and detain in the Watch-houſe, or other convenient Place to be provided or appointed by the ſaid Committee for the Purpoſe, all Malefactors, Rogues, Vagabonds, Diſturbers of the Peace, and all other diſorderly and ſuſpicious Perſons, who ſhall be found loitering, wandering, or miſbehaving themſelves, or committing any Offences or Diſorders in or near the ſaid Roads and Places, ſo hereby authorized to be lighted and watched; or whom the ſaid Superintendants, Watchmen, Guards, or Patroles, or any of them, ſhall have reaſon or juſt cauſe to ſuſpect of evil Deſign, and the Perſon or Perſons ſo apprehended to carry as ſoon as conveniently may be before One or more of His Majeſty's Juſtices of the Peace, acting in and for the ſaid County of *Surrey*, to be examined and dealt with according to Law.

Committee to employ Perſons to cleanſe; and to purchaſe Carts, &c.

XXXIV. And be it further enacted, That it ſhall and may be lawful for the ſaid Committee to purchaſe Carts, Horſes, and all neceſſary Implements for cleanſing the Pavements of the Roads, Streets, and Places hereby directed to be cleanſed, lighted, and watched, and alſo to appoint proper Perſons to cleanſe the ſame, or to contract with One or more Perſon or Perſons by the Week, Month, or Year, to ſweep, cleanſe, and cart away the Soil of the Pavements of the ſaid Roads and Places aforeſaid, or any of them, ſo often and in ſuch Manner as the ſaid Committee ſhall deem fit, and the ſaid Committee ſhall have full Power to purchaſe or rent Land, to depoſit the Soil of the Pavement of the ſaid Roads and Places, and the Purchaſe Money or Rent thereof ſhall be paid out of the Rates to be made by virtue of this Act.

Rates.

XXXV. And for defraying the Charges and Expences of lighting, watching and cleanſing the ſaid Roads and Places before mentioned, or which may be incurred in putting this Act into Execution relating to the ſame, be it enacted, That from and after the Third *Wedneſday* next after the paſſing of this Act, One or more Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall, in every Year or oftener, if it ſhall be thought needful by the ſaid Committee, be made, laid and aſſeſſed by the ſaid Committee, of and upon all and every Perſon or Perſons who do or ſhall inhabit, hold or occupy any Land, Houſe, Shop, Warehouſe, Yard, Mill, Mill-pond, Rope-walk, Cellar, Vault, or other Tenement ſituate in, near, adjoining, or contiguous to the ſaid Roads and Places hereby authorized and empowered to be lighted and watched, in ſuch competent Sum and Sums of Money as the ſaid Committee ſhall order

and

and direct, so as such Rates or Assessments do not exceed in the whole the Sum of Eighteen-pence in the Pound, in any one Year, of the Yearly Rent or Yearly Value of such Houses, Shops, Warehouses, Yards, Mills, Mill-ponds, Rope-walks, Cellars, Vaults, or other Tenements as aforesaid, nor the Sum of Sixpence in the Pound, in any one Year, of the Yearly Rent or Value of any Land being Meadow or Pasture Land, or being used as Garden Ground, the Produce whereof shall be carried for Sale to any Public Market, and which Garden Ground shall exceed One Acre.

Rates to be signed by Three of the Committee.

XXXVI. And be it further enacted, That all Rates made by virtue of this Act shall be signed by any Three or more of the said Committee, who are also hereby empowered and required to grant any Warrant or Warrants for the Collection and levying the same, by such Person or Persons as they shall nominate or appoint, and such Nomination and Appointment shall be sufficient Authority or Authorities to and for such Person or Persons to collect and levy such Rate or Rates, Assessment or Assessments, and to execute such Distresses as shall be necessary for the Recovery of any of the Monies assessed thereby; and if any Person or Persons shall refuse, neglect, or omit to pay the Sum or Sums of Money which he, she, or they shall be rated or assessed at, for the Space of Two Days next after personal Demand made thereof, or Demand in Writing left at the Place of Abode or Occupation of such Person or Persons, then and in every such Case it shall and may be lawful to and for the said Person or Persons, or any of them who shall be named in such Warrant as aforesaid, and he and they is and are hereby authorized and required to levy the same by Distress and Sale of the Goods and Chattels of such Person or Persons so neglecting, refusing or omitting to pay the same; and in case no sufficient Goods or Chattels can be found to be so distrained, or in case such Goods and Chattels shall be locked up, or secured or removed from the Person or Persons authorized to distrain as aforesaid, then and in either of the said Cases, upon Information thereof given to One or more Justice or Justices of the Peace, acting in and for the County of *Surrey*, or of the County or Place where the Person or Persons so rated and assessed as aforesaid shall then reside, it shall and may be lawful for such Justice or Justices, and he or they are hereby required to commit the Offender or Offenders to the Common Gaol or House of Correction for the County of *Surrey*, or of the County or Place wherein such Person or Persons shall reside, there to remain without Bail or Mainprize, for any Time not exceeding the Space of Six Months, or until the Payment of such Rate or Assessment, and reasonable Charges occasioned by the Non-payment thereof.

Liberty for Persons assessed to inspect Rates and have Copies.

XXXVII. Provided always, and be it further enacted, That all Persons assessed to such Rates or Assessments shall at all Times have Liberty to inspect the same, and to have Copies or Extracts therefrom, paying for such Copies or Extracts at the Rate of Sixpence for every Seventy-two Words therein.

Owners of Houses let out in Tenements to be assessed.

XXXVIII. And be it further enacted, That it shall and may be lawful to and for the said Committee, in and by the said Rates and Assessments, to rate and assess the Owner or Owners of such Houses, Gardens, or other Tenements whatsoever as shall be let to or occupied by Two or more Tenants or Persons, which Rate or Assessment shall be paid by One or more of

of the Tenants or Occupiers of any Part or Parts of such Houses, Gardens, or other Tenements; and in case any Tenant or Occupier of any Part of such Houses, Gardens, and Tenements shall refuse or neglect to pay the same for the Space of Two Days after such Demand as aforesaid, the said Rate and Assessment shall in like Manner be levied by Distress and Sale of the Goods of him, her, or them so refusing to pay the same as aforesaid, and such Occupier and Occupiers of such Houses, Gardens, or Tenements respectively is and are hereby required and authorised to pay such Sum and Sums of Money as shall be so rated or assessed, and to deduct the same out of the Rent thereof; and the Owner or Owners thereof are hereby required to allow such Deduction upon the Receipt of the Residue of the said Rent; and every such Tenant paying such Rate or Rates, Assessment or Assessments, shall be acquitted and discharged for so much Money as the said Rate or Rates, Assessment or Assessments shall amount unto, as if the same had been actually paid to such Person or Persons, to whom his, her, or their Rent should have been or shall be due and payable.

Meeting Houses and Burial Grounds to be rated.

XXXIX. And be it further enacted, That it shall and may be lawful to and for the said Committee, and they are hereby required at such Times as the Rates hereby directed shall be made, to rate and assess for the Purposes aforesaid all Chapels, Meeting Houses, and other Places of Public Worship, or intended for that Purpose, with the Ground belonging thereunto, and all other Public Buildings whatsoever, and all Burial Grounds situate in, near, adjoining, or contiguous to the said Roads and Places hereby authorised to be lighted and watched at such Rates as the said Committee shall judge reasonable, and such Rate or Rates, Assessment or Assessments, so to be from Time to Time made, shall be paid by the Proprietor or Proprietors, Trustee or Trustees, or Treasurer thereof, or by the Minister or Deacon, or other Person officiating therein; and in case any of the Persons aforesaid shall refuse or neglect to pay the said Rates or Assessments to the Collector or Collectors thereof, or Person or Persons appointed to receive the same, upon Demand thereof, made either personally or in Writing, left at the usual Place of Abode of the Person or Persons required to pay the same, then, and in every such Case, the same shall and may be recovered of the Person or Persons so required to pay the same, by any Action, in any of His Majesty's Courts of Record at *Westminster*, together with Treble Costs of Suit, to be commenced or prosecuted by the said Committee, in which Action or Suit no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Occupiers quitting without paying Rates, may be followed.

XL. And be it further enacted, That when any Person or Persons who shall be rated or assessed shall quit his, her, or their Land, House, Warehouse, Shop, Vault, Cellar, Yard, Ropewalk, Mill, or Tenement, whereupon such Rate or Assessment shall have been made before he, she, or they shall have paid the same, then, and in every such Case, it shall and may be lawful to and for such Person or Persons as shall be appointed by the said Committee to collect or receive the said Rate or Assessment, and every and any of them, by Warrant under the Hands and Seals of any Two or more Justices of the Peace acting in and for the said County of *Surrey*, which Warrant the said Justices are hereby authorised and required to grant, to enter into any Place within the said County, or in any other County or Place, such Warrant being first backed or countersigned by some Magis-

trate in the County, City, or Liberty where the Diſtreſs is to be made, and there to diſtrain the Goods and Chattels of ſuch Perſon or Perſons ſo neglecting or refuſing, and the ſame to ſell, rendering the Overplus (if any ſuch ſhall be) to ſuch Perſon or Perſons, after deducting the reaſonable Charges and Expences of ſuch Diſtreſs and Sale, on his or her demanding the ſame.

Rates may be compounded for Premiſes at 15l. per Ann. or under.

XLI. And be it further enacted, That it ſhall and may be lawful to and for the Truſtees for putting into Execution this and the ſaid recited Acts, or the ſaid Committee, as the Caſe may require, from Time to Time to compound and agree with the Landlord or Landlords of every or any Houſe, Warehouſe, Garden, Tenement, or Hereditament, the yearly Rent whereof ſhall not exceed Fifteen Pounds, or which ſhall be let to any Weekly or Monthly Tenant, or in Parcels, or in ſeparate Apartments, for the Payment of the Rate or Rates, Aſſeſſment or Aſſeſſments to be made in virtue of this and the ſaid recited Acts, or any of them, at ſuch a reduced yearly Value or Rental as the ſaid Truſtees or the ſaid Committee ſhall think proper, and from and after any Compoſition ſhall be ſo made, the Premiſes in reſpect of which ſuch Compoſition ſhall be made ſhall be rated and aſſeſſed according to ſuch reduced yearly Value or Rental, in every future Rate or Aſſeſſment to be made by the ſaid Truſtees or Committee, until they ſhall think proper otherwiſe to rate.

Deſignation of Landlord.

XLII. And be it enacted, That the Perſon or Perſons receiving, claiming, or being entitled to receive the Rent or Rents of and from any Occupier or Occupiers of any and every ſuch Houſe, Warehouſe, Garden, Tenement, or Hereditament ſhall, for the Purpoſes of this Act, be deemed and be taken to be the Landlord thereof.

Rates compounded for to be recovered of Tenants.

XLIII. And be it enacted, That each and every Tenant or Occupier, for the Time being, of any Houſe, Warehouſe, Garden, Tenement or other Hereditament, or of any Part thereof, in reſpect whereof ſuch Compoſition ſhall be made as herein-before mentioned, ſhall pay the ſaid Rates and Aſſeſſments, and the ſame ſhall be levied and recovered of and from every ſuch Tenant or Occupier, as if the ſame had been rated and aſſeſſed upon him or her, and ſuch Tenant or Occupier may deduct the ſame with all Charges incident to the levying or recovering thereof out of his, her, or their Rents, and the Landlord or Landlords of the ſaid Premiſes is and are hereby required to allow the ſame; or the ſaid Rate or Aſſeſſment, Rates or Aſſeſſments, ſhall and may be ſued for and recovered of and from ſuch Owner or Owners, Landlord or Landlords, reſpectively, by Action of Debt, Bill, Plaint, or Information in any of His Majeſty's Courts of Record at *Weſtminſter*, or in any Court of Requeſts within the Juriſdiction of which any ſuch Owner or Owners, Landlord or Landlords, ſhall reſide, reſpectively, ſuch Action, Suit, or Information to be commenced and proſecuted in the Names of any Two of the ſaid Truſtees, or of any Two of the ſaid Committee, as the Caſe may require; and if the Truſtees or the ſaid Committee ſhall recover in any ſuch Action of Debt, Bill, Plaint, or Information, they ſhall be allowed Treble Coſts, to be levied and recovered as other Monies upon Judgment are or may be levied and recovered.

XLIV. Pro-

But Tenants not liable to pay Exceſs of Aſſeſſment beyond Rent due.

XLIV. Provided always, That no Tenant or Occupier of any ſuch Houſe, Warehouſe, Garden, Tenement, or other Hereditament, ſhall be liable or compelled to pay any or any further Part of the ſaid Rates or Aſſeſſments than what ſhall be within or equal to the Amount of the Rent due to his, her, or their Landlord or Landlords, at the Time any Levy or Diſtreſs ſhall be made for Recovery thereof.

Any Perſon authoriſed by the Committee to inſpect Pariſh Rates, &c.

XLV. And be it further enacted, That it ſhall and may be lawful for the Collector or Collectors of the Rates or Aſſeſſments, or for any other Perſon or Perſons authoriſed by the ſaid Committee, at all convenient Times, firſt having an Order under the Hand of any One of the ſaid Committee for that Purpoſe, to inſpect the Books of Rates or Aſſeſſments made for raiſing Money for the Relief and Maintenance of the Poor of the ſaid Pariſh of *Bermondſey*, and for any other Purpoſe relating to the ſaid Pariſh, in order to aſcertain, ſettle, or adjuſt the Rates and Aſſeſſments to be made by virtue hereof, or any of the Monies to be raiſed thereby, and alſo to require Copies thereof, or Extracts therefrom, which Inſpection, Copies, and Extracts, the Aſſeſſors, Collectors, Churchwardens, Overſeers of the Poor, Veſtry Clerk, or other Officer or Officers of the ſaid Pariſh of *Bermondſey*, or other Officer or Officers, Perſon or Perſons, having the Cuſtody of ſuch Book of Aſſeſſment and Rate, Books of Aſſeſſments and Rates, are hereby required to permit and give, to ſuch Perſon or Perſons appointed as aforeſaid, on their producing ſuch Order as aforeſaid; and on Payment of Three Shillings for ſuch Inſpection, and Sixpence for every Seventy-two Words and Figures to be contained in ſuch Copies or Extracts ſo required to be given; and in caſe any Perſon or Perſons having the Cuſtody of ſuch Book of Aſſeſſment or Rate, Books of Aſſeſſments or Rates, ſhall neglect or refuſe to permit ſuch Inſpection, or to give ſuch Extracts or Copies Three Days after ſuch Order ſhall have been produced and ſhewn to him or them, or a Copy thereof left at his or their laſt or moſt uſual Place of Abode, and after Payment of the Sums before-mentioned, then, and in every ſuch Caſe, and after ſuch Tender or Payment as aforeſaid, he or they ſo refuſing or neglecting ſhall forfeit and pay any Sum not exceeding Five Pounds nor leſs than Twenty Shillings, to the ſaid Committee, to be applied for the Purpoſes of this Act.

Miſtakes in Rates to be rectified.

XLVI. And be it enacted, That in caſe any Perſon or Perſons liable to pay the ſaid Rates or Aſſeſſments ſhall happen to be omitted, over-rated, or under-rated in any Rate or Aſſeſſment, then, and in every ſuch Caſe, it ſhall and may be lawful for the ſaid Committee, from Time to Time, to rate and aſſeſs ſuch Perſon and Perſons ſo omitted, or 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 Rates, Aſſeſſment or Aſſeſſments, as often as Occaſion ſhall require, ſo that all and every Perſon and Perſons liable to be rated and aſſeſſed ſhall be fairly and duly rated and aſſeſſed for the Purpoſes before-mentioned, and the Monies aſſeſſed by ſuch Alteration or Amendment ſhall be received, recovered, and collected, in the ſame Manner and with the like Powers and Remedies as ſuch original Rates or Aſſeſſments are herein directed and authoriſed to be received, recovered, and collected.

Perſons paying this Rate exempted

XLVII. And be it further enacted, That all and every Perſon and Perſons paying the Rates or Aſſeſſments ſo to be made as aforeſaid, ſhall be, and

and they and every of them is and are hereby exempted and discharged from all other Rates or Assessments, Charges and Expences, in respect of the Premises so assessed of or for lighting, watching, or cleansing any Part or Parts of the said Roads and Places, and of paying any Scavengers Rate within the said Parish, and also from all Penalties which may or might be incurred by reason or means of their neglecting to light, watch, or cleanse the same respectively, or paying such Scavengers Rate, any Law, Statute, or Usage to the contrary notwithstanding. from all other Expences of Paving, &c.

XLVIII. Provided always nevertheless, and be it enacted, That neither this Act, or any Thing herein contained, shall extend to authorize or empower the said Committee to light, watch, or cleanse any Street, Lane, Court, Yard, Alley, Passage, Square, Walk, or Place comprised or included in any Act or Acts of Parliament heretofore made and passed for lighting, watching, and cleansing the same, or to rate or assess any Messuages, Lands, or Tenements liable to be rated under the Authority of the same, during the Existence or Continuance thereof. This Act not to extend to Places comprised in any other Act for lighting, watching, &c.

XLIX. And be it further enacted, That the said Committee shall and may at their First or any subsequent Meeting appoint One or more Treasurer or Treasurers, Clerk or Clerks, Surveyor or Surveyors, Collector or Collectors, and such other Officer or Officers to be employed by them in the Execution of the Powers and Authorities to them given by this Act, as they shall think proper, and are also hereby empowered from Time to Time to remove him or them, and again to appoint other Person or Persons in their and every of their Room and Stead, as often as they shall think it fitting and expedient so to do, and the said Committee shall and may take such Security of and from the said Persons as they shall think fit for the due Execution of the several Offices to which they respectively may be appointed, and for the due Collection, accounting for, and Payment of all Monies to be collected, received, or expended by such Person or Persons in the Execution of this Act; and all and every such Person and Persons as often as they shall be thereunto required by the said Committee, shall make up and render to the said Committee a full, true, and perfect Account in Writing of all the Monies by him or them received and expended in virtue of their respective Offices, and if such Person or Persons or any of them shall neglect or refuse to make up and render such Account as aforesaid for the Space of Seven Days, or if any Collector or Collectors shall not deliver up to the said Committee, or to such Person or Persons as they shall appoint, within Three Days, next after being thereunto required in Writing for that Purpose, to be left at the usual Place of Abode of such Collector or Collectors, or delivered to him or them, all and every the Rates and Assessments in his or their Custody, or to him or them delivered, or shall neglect or refuse for the Space of Three Days to pay to the said Treasurer or Treasurers all Monies collected by him or them, then and in either of the said Cases it shall be lawful for One or more of His Majesty's Justices of the Peace, acting in and for the County of *Surrey*, and they are hereby required upon Complaint to be made on the Oath of any One or more of the said Committee, or of any other Person or Persons having Knowledge of the Matters aforesaid, which Oath such Justice or Justices are hereby authorized to administer, or on the Confession of the Party so neglecting or refusing by Warrant under his and their Hand and Seal or Hands and Seals directed to any Constable or Constables or other Committee may remove Officers.

Perſon or Perſons whomſoever, to cauſe all Monies which ſhall appear to be, or remain in the Hands of ſuch Perſon or Perſons reſpectively, or ſuch Part or Parts thereof as ſuch Juſtice or Juſtices ſhall think proper, to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon or Perſons aforeſaid reſpectively, together with the Coſts and Charges attending ſuch Diſtreſs and Sale; and in caſe no Goods or Chattels can be found ſufficient for the Purpoſes aforeſaid, then and in either of the ſaid Caſes ſuch Juſtice or Juſtices ſhall commit every ſuch Perſon or Perſons making ſuch Neglect or Default to the Common Gaol or Houſe of Correction in and for the ſaid County of *Surrey*, there to remain with Bail or Mainprize until he or they ſhall make a true and perfect Account and Payment as aforeſaid, or till he or they ſhall have compounded or otherwiſe ſettled with the ſaid Committee, or until the ſaid Committee ſhall conſent to the Diſcharge of ſuch Perſon or Perſons, and which Compoſition or Conſent the ſaid Committee are hereby empowered to make and give.

Allowance to be made to Officers for their Trouble and Expences.

L. And be it further enacted, That the ſaid Committee ſhall and may, out of the Monies to ariſe from the Rates and Aſſeſſments hereby authorized to be made, allow, order, and direct ſuch Sum or Sums of Money Salaries, or Allowances as they ſhall think fit to be made or paid to the Treaſurer, Clerks, Surveyors, Collectors, and other Perſons, and every of them employed in or about the Execution, Performance, or Enforcement of the ſeveral Powers, Matters, and Things by this Act authorized to be done and performed by or by the Order of the ſaid Committee, for his and their Trouble, Attendance, Coſts, and Expences thereabouts or relating thereto.

Monies may be raiſed by way of Loan.

LI. And be it further enacted, That it ſhall and may be lawful to and for any Perſon or Perſons to contribute, advance, and pay into the Hands of the Treaſurer or Treaſurers, for the Time being to the ſaid Committee, by the Order of the ſaid Committee, for the Uſes and Purpoſes in this Act mentioned, any Sum or Sums of Money not exceeding in the whole the Sum of Five hundred Pounds by way of Loan or Mortgage at Intereſt, and all and every ſuch Sum and Sums of Money, ſhall be and are hereby charged upon and ſhall be paid and payable from Time to Time out of the Monies ariſing by the Rates and Aſſeſſments to be made under the Authority of this Act.

Monies borrowed charged upon Rates.

LII. And be it further enacted, That every Perſon ſo advancing any Sum of Money ſhall have an Order on Parchment under the Hands of any Three of the ſaid Committee, for Payment by the Treaſurer for the Time being to the ſaid Truſtees, out of any Monies to ariſe by Rates or Aſſeſſments to be made as aforeſaid, of the Sum or Sums of Money ſo lent, with Intereſt for the ſame; and the Treaſurer for the Time being to the ſaid Truſtees is hereby authorized and required to pay or diſcharge the ſame accordingly, out of any Monies coming to his Hands by virtue of ſuch Rate or Rates, without further Warrant in that Behalf.

Monies lent made aſſignable.

LIII. And be it further enacted, That it ſhall and may be lawful to and for every Perſon advancing any Money by way of Loan as aforeſaid, his, her, or their Executors, Adminiſtrators, or Aſſigns, at any Time or Times, by Writing under his, her, or their Hand and Seal, or Hands and

Seals, to assign such Money so lent, or any Part thereof, and their Right, Title, and Interest therein, to any Person or Persons whomsoever.

Assignments to be entered with the Clerk to the Committee.

LIV. And be it further enacted, That every Assignment or Transfer of any and every Sum or Sums so to be lent in pursuance of this Act, shall be left with the Clerk for the Time being to the said Committee, and the same shall be entered by him in a Book or Register to be kept for that Purpose before any Assignee or Assignees, Transferree or Transferrees, named in such Assignment or Transfer, shall be entitled to receive any Sum or Sums of Money so lent, or the Interest thereof thereby assigned, and in case any Sum or Sums of Money so lent or the Interest thereof, shall be paid to the Assignor or Assignors, Transferror or Transferrors, in such Assignment or Transfer named, before the same shall be entered in such Book or Register, the Payment thereof shall be deemed a good and valid Payment, and the said Assignee or Assignees, Transferree or Transferrees, shall be barred from any Claim thereto, or Recovery thereof, out of the Rates so to be made by the said Committee, and for the Entry of every such Assignment or Transfer the Clerk for the Time being to the said Trustees shall be paid by the Person to whom such Assignment or Transfer shall be made the Sum of Three Shillings.

Penalties may be mitigated.

LV. And be it further enacted, That it shall and may be lawful to and for the said Committee from Time to Time, to compound and agree with any Person or Persons against whom the said Committee shall bring, or cause to be brought, any Action or Actions, Suit or Suits, for any Penalty or Penalties contained in any Contract or Contracts hereafter to be entered into on account of any Breach or Non-performance of any such Contract or Contracts, for such Sum or Sums of Money as they shall think proper, and also to mitigate, compound or lessen any other the Forfeitures to be incurred respecting the Matters hereby committed to their Charge, so as the Sum so compounded and agreed for be not less than the Injury or Damage sustained by the Breach or Non-performance of such Contract or Contracts, and all the Costs, Charges, and Expences which shall be occasioned thereby, and so as the Mitigation of the other Forfeitures as aforesaid do not extend to remit above Three-fourth Parts of the said Forfeitures respectively.

Penalties to be recovered as directed in former Acts.

LVI. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the Manner of levying and recovering whereof is not hereby otherwise provided for, shall be levied and recovered in such Manner and Form, by such Proof and Proceedings, Distress and Sale, as is or are authorized or enacted in and by the above recited Acts or any of them, and in case of no sufficient Distress, or of Non-payment of such Penalties and Forfeitures, the Offender or Offenders shall be liable to be committed to the Common Gaol or House of Correction of the County where the Offence shall be committed, in the Manner provided by the said Acts, or any of them, in such Cases, there to remain for such Times as are therein specified, unless any other Time is herein mentioned.

Limitation of Actions.

LVII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act until Twenty-one Days Notice thereof shall be given in Writing to the Clerk to the said Trustees, or after sufficient Satisfaction or Tender hath

hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed, for which such Action or Actions, Suit or Suits shall be so brought; and every such Action shall be brought, laid, and tried in the County wherein the Cause shall arise, and not in any other County or Place; and the Defendant or Defendants in such Action and Suits, and every of them, may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Actions, Suit or Suits shall be so brought, was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits shall become nonsuited, or suffer a Discontinuance of such Action or Actions, or if upon any Demurrer or Demurrers in such Action or Actions, Judgment shall be given for the Defendant or Defendants therein, then and in either of the Cases aforesaid such Defendant or Defendants shall have Treble Costs, and have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any other Cases by Law.

Expences of Act how to be paid.

LVIII. And be it further enacted, That the Expences and Charges in and about the procuring and passing this Act shall be defrayed as follows; that is to say, One Moiety thereof shall be defrayed out of the Tolls and annual Payments already raised, or to be raised by virtue of this and the said former Acts, and the remaining Moiety shall be raised and paid out of the Rates authorized to be made by this Act for lighting, watching, and cleansing the several Roads and Places herein mentioned.

Public Act.

LIX. 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.

The

The SCHEDULE referred to by this Act.

A Timber Cottage now or heretofore in the Occupation of *Thomas Beale*, and the Ground on the South and West Sides of the same, now or heretofore in the Occupation of the said *Thomas Beale* and *Bivens*, and abutting Westward on *Free-school Street*.

A Tenement, now or heretofore used as a Smith's Shop, now or heretofore in the Occupation of *David King*.

A House, Garden and Ground thereto belonging, now or late in the Occupation of *John Bolton*.

A Piece of Ground abutting Eastward on the last mentioned Premises, lately used as a Garden, but now unoccupied.

A Piece of Ground abutting Northward on the last mentioned Premises, and Westward on *Three-oak Lane*, used as a Passage.

Two Gardens, now or late in the Occupation of *John Nettleton* and *John Summer*, and the Garden adjoining thereto, now or late unoccupied, and the Five Houses with the Gardens thereto adjoining to the last mentioned Premises, on the South Side thereof, now or late in the Occupation of *Charles Steers*, *John Summers*, *Isaac Candler*, *Pascal Baillou*, and *Andrew Larkin*.

Eight Houses or Tenements with the Gardens thereto belonging, now or late in the Occupations of *William Humphries*, *Mary Daniel*, *John Smith*, *John Batson*, *Abraham Healey*, *James Palmer*, *John Collett*, and *Samuel Polton*.

The Houses with the Gardens thereto belonging, now or heretofore in the Occupations of *William Palmer*, *Samuel Stevens*, *Jonathan Stevens*, *John Carr*, *Thomas Hains*, *John Webb*, and *John White*.

A Piece of Ground, now or heretofore used as a Timber-yard, in the Occupation of *William Tubb*.

A House and Ground, now or heretofore in the Occupation of *Richard Bye*.

The Houses, with the Sheds, Yards, and Grounds thereto belonging or adjoining, now or heretofore in the Occupations of *Elizabeth Pattenson*, *John Strouse*, *John Platt*, *Susan Hayardahl*, *Thomas Jolly*, and *Robert Tyler*.

The Houses, Cottages or Tenements, Sheds, Grounds, Yards and Gardens, now or heretofore in the Occupations of *Richard Walton*, *John Griffe*, *Thomas Hodgkins*, *Ralph Hawksworth*, *Thomas Pine*, *William Gruby*, *Edward Dear*, *John Edwards*, *John Anderson*, *Thomas Laws*, *William Austin*, *James Bullock*, *Michael Cain*, and *William Raymer*.

The Stables, Sheds, Buildings, Garden, and Ground, now or heretofore in the Occupation of *William Welstead*.

The Pieces or Parcels of Land or Ground, now or heretofore in the Occupations of *George Watson* and *Thomas Stuckey*.

The Houses with the Gardens thereto belonging, now or heretofore in the Occupations of *Charles Smith*, *Edward Hutchinson*, *William Mumford*, *John King*, *Mary Watts*, *Thomas Norman*, *Robert Kent*, *Thomas Matthew*, *William Hewlett*, *John Kendall*, *Ann Conner*, *George Watson*, and *Christopher Cheeseman*.

The Messuages or Tenements, Gardens, Yards, and Appurtenances thereto, now or late in the Occupations of *James Kenning*, *Simon Davis* late *John Cartwright*, *Grace Weedon*, *Catharine Baily*, *Jacob Spicer*, and *John Moody*.

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