ANNO QUINTO & SEXTO

VICTORIÆ REGINÆ.

****

Cap. cvii.

An Act for making a new Street from *Blackman Street* to the *Southwark Bridge Road,* and for improving the District called the *Mint,* all in the Parish of *Saint George the Martyr* in the Borough of *Southwark* in the County of *Surrey.*

[30th *July* 1842.]

WHEREAS the Streets, Lanes, Passages, and Places between *Blackman Street* and *High Street* and the *Southwark Bridge Road,* including the District called the *Mint,* all in the Parish of *Saint George the Martyr* in the Borough of *Southwark* in the County of *Surrey,* are extremely narrow, and almost impassable for Carriages, and many of the Houses and Tenements therein are in a very ruinous and dilapidated Condition, and the said District called the *Mint* is inhabited and resorted to by many Persons of a vicious and immoral Character, and is also intersected by Common Sewers, at many Parts uncovered, and thereby causing Malaria, productive of Fever and Epidemics, and prejudicial to the general Health of the Neighbourhood: And whereas the Formation of a new Street, in continuation of the new *Dover Road* from *Blackman Street* aforesaid through the said District called the *Mint,* and from thence to the said *Southwark Bridge Road,* and the Improvement of

the said District, would be of great Advantage to the Owners and Occupiers of Property in the said Parish and other Parishes adjacent thereto, by the Improvement in the Health of the Inhabitants, the Removal of many ruinous and dilapidated Houses, and by the increased Traffic which will necessarily result therefrom, and the Formation of such new Street will also be of great public Utility, by opening a direct Communication between *Great Dover Street* and the County of *Kent*, and the Northern and Western Parts of the Metropolis, by *Blackfriars*, *Waterloo*, and *Westminster* Bridges; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *John Humphery* Esquire, Member of Parliament, *Benjamin Wood* Esquire, Member of Parliament, *Henry Kemble* Esquire, Member of Parliament, *Edmund Antrobus* Esquire, Member of Parliament, *William Denison* Esquire, Member of Parliament, *John Trotter* Esquire, Member of Parliament, *John Quincey Harris* Esquire, Member of Parliament, *Nathaniel Nicholls* Esquire, of *Bethlehem Hospital*, *Thomas Johnson*, Alderman of *London*, *Henry Sterry*, *James Miller*, *Thomas Griffith*, *William Bastow*, *Joseph Hanson*, *William Griffith*, *Thomas Fish*, *George Holmes*, *John Griffith*, *James Marmaduke Rossiter*, *John Warter Froggett*, *Hugh Bowditch*, *Richard Moser*, *William Mayhew*, *John Norton*, *Thomas Martin*, *Edward Evans*, and their Successors (to be elected in manner herein-after mentioned), shall be and they are hereby appointed Commissioners for putting this Act into execution, by the Name and Style of the "*Southwark* Improvement Commissioners."

Commissioners.

Qualification of Commissioners.

II. And be it enacted, That every Commissioner under this Act shall be a resident Inhabitant of the said County of *Surrey*, and shall either be rated to the Rate made for the Relief of the Poor, in a Parish in the said County, to the annual Sum of Fifty Pounds or upwards, or be seised or possessed or in the Enjoyment of the Rents and Profits of Lands and Hereditaments within the said County of the annual Value of Twenty Pounds for an Estate not less than a Life in being for his own Use, or be possessed of a Personal Estate of not less than Two thousand Pounds beyond what will satisfy all his Debts.

Same Property not to give 2 Qualifications.

III. Provided always, and be it enacted, That the same Property shall not give a Qualification to Two Commissioners at the same Time as Owner and Occupier thereof.

No Bankrupt or Insolvent to be a Commissioner.

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

No Person holding Office, or concerned in a Contract,

V. And be it enacted, That if at any Time subsequently to the Appointment he shall accept or continue to hold any Office of Trust or Profit under this Act, or be concerned in any Contract, or participate in any Manner in any Work to be done under the Authority of this

this Act, such Person shall cease to be a Commissioner, and his Office shall thereupon become vacant. to be a Commissioner.

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

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

'I *A.B.* do solemnly declare, That I will faithfully and impartially, 'according to the best of my Skill and Judgment, execute all the 'Powers and Authorities reposed in me as a Commissioner by virtue 'of an Act of Parliament, intituled [*here insert the Title of this Act*], 'and also that I am a resident Inhabitant of the County of *Surrey*, 'and am rated to the Rates made for the Relief of the Poor of a 'Parish in such County in the annual Sum of Pounds, '[*or* am seised *or* possessed *or* in the Enjoyment of the Rents and 'Profits of Lands and Hereditaments within the said County of the 'annual Value of Pounds, for an Estate not less 'than a Life in being, for my own Use, *or* am a resident Inhabitant 'of the said County, and am in possession of a Personal Estate of not 'less than Pounds Value beyond what will satisfy all my 'Debts.]'

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

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

X. And be it enacted, That if any Person shall act as a Commissioner, being incapacitated to act, or not being duly qualified, or before he shall have made or subscribed such Declaration as aforesaid, or after having become disqualified, he shall for every such Offence forfeit the Sum of Fifty Pounds, and such Penalty may be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by any Person who shall sue for the same, by Action of Debt or on the Case; and in every Action for the Recovery of such Penalty the Person so sued shall prove that he was qualified, and had made and subscribed the Declaration aforesaid, or he shall pay the said Penalty on Commissioner, not being qualified, acting.

said Penalty and Costs, without any other Proof or Evidence on the Part of the Plaintiff than that such Person hath acted as a Commissioner in the Execution of this Act; nevertheless all Acts and Proceedings of any Person acting as a Commissioner, being incapacitated, not duly qualified, or being disqualified, done previous to the Recovery of the Penalty, shall be as valid as if such Person had been duly qualified.

Commissioners neglecting to act.

XI. And be it enacted, That if any Commissioner fail to act in the Execution of this Act for One Year, such Commissioner shall be deemed to have refused to act, and therefore shall cease to be a Commissioner until he shall be re-elected as herein-after mentioned.

Mode of supplying Vacancies.

XII. And be it enacted, That if any of the Commissioners die or resign, or be disqualified or cease to be a Commissioner, it shall be lawful for the remaining Commissioners to elect another Commissioner in his Place, and every Commissioner so elected shall have the same Powers and Authorities as if he had been herein named a Commissioner.

First and other Meetings.

XIII. And be it enacted, That the Commissioners for executing this Act shall hold their First General Meeting at the Town Hall on *Saint Margaret's Hill*, or some other convenient Place within the Borough of *Southwark*, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, and proceed to put this Act into execution, and a General Meeting of the said Commissioners shall be held on the Second *Monday* after the passing of this Act, between the Hours aforesaid; and it shall be lawful for the Commissioners present at such First or any subsequent Meeting from Time to Time to adjourn such Meeting to the same or another Place within the said Borough; and if at any such Meeting there shall not be Five Commissioners present within One Hour after the Time appointed for such Meeting, then it shall be lawful for the Commissioners present, or the major Part of them, or any One Commissioner, if only One be present, to adjourn such Meeting to another Day; and if the Meeting shall not be adjourned, then it shall be lawful for any Two of the Commissioners, or the Clerk, to appoint a Meeting to be held at any convenient Place within the said Borough, and not less than Seven Days Notice shall be given of such intended Meeting.

Special Meetings.

XIV. And be it enacted, That it shall be lawful for the said Commissioners to hold Special Meetings, and any Three or more of the Commissioners may require a Special Meeting to be held, but no such Meeting shall be held unless Seven Days Notice thereof shall be given.

Quorum of Commissioners.

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

XVI. And

How Notices of Meetings are to be given.

XVI. And be it enacted, That all Notices of any Meeting to be held under the Authority of this Act shall be in Writing, and shall be delivered or sent by the Post to the usual Place of Abode of each of the Commissioners, and advertised in One or more Newspapers circulated within the City of *London* Three Days at least previous to such Meeting, and every Notice shall specify the Time and Place of Meeting, and in case of a Special Meeting shall specify the Object thereof, and no Business shall be transacted at any Special Meeting except such as is stated in the Notice thereof.

Expences at Meetings.

XVII. And be it enacted, That at all Meetings of the Commissioners they shall defray their own Expences, except for the Use of the Room in which the Meeting is held.

General Meeting may appoint Committees.

Duration of Committees.

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

Quorum of Committees.

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

Order of Business at Meetings of Commissioners and Committees.

XX. And be it enacted, That at every Meeting of the Commissioners or Committee one of the Commissioners present shall be elected Chairman by the Majority of the Votes of the Commissioners present at such Meeting, and all Questions considered at such Meeting shall be decided by the Votes of the Majority present; and if there be an equal Division of Votes, the Chairman, in addition to his own Vote as a Commissioner or Member of the Committee, shall have a casting Vote: Provided always, that if at any such Meeting there shall be an Equality of Votes in the Election of a Chairman, that one of the Commissioners having an equal Number of Votes whose Name would stand first if the Names of the Commissioners present were alphabetically arranged shall be Chairman of such Meeting.

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

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

For what Contracts may be made.

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

How to be signed.

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

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

XXIV. And be it enacted, That during the Execution of any such Contract the Works in course of being done under such Contracts, and all the Materials of every Description brought upon or near such Works for the Purpose of being used in the Execution of such Contracts, shall, for the Purpose of protecting the same from Injury, by Indictment as herein-after mentioned, be held to be the Property of such Commissioners.

Indictments how to be preferred.

XXV. And be it enacted, That it shall be lawful for the Commissioners, by their Clerk, to prefer any Bill of Indictment against any Person who shall steal, take, or carry away, deface or injure, any Property, Article, or Thing belonging to the said Commissioners; and in any such Bill of Indictment it shall be sufficient to state generally the Property, Article, or Thing in respect of which such Bill of Indictment shall be preferred to be Property of the Commissioners for executing this Act, without naming the Members thereof.

Commissioners not to be personally liable.

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

Liability of their Funds.

XXVII. And

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

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

Executions against Goods of Commissioners.

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

Indemnity to Commissioners and Clerk.

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

Commissioners to appoint Treasurer and other Officers.

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

Offices of Clerk and Treasurer to be separate.

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

If any Person accept both the Offices of Clerk and Treasurer;

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

If any Person being the Treasurer, or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept

accept the Office of Clerk, or act as Deputy of such Clerk, or in any Manner officiate for such Clerk;

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

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

Officer taking Fees to lose his Office and forfeit 50*l.*

XXXII. And be it enacted, That if any such Clerk, Treasurer, Collector, or other Officer employed by the Commissioners exact, take, or accept, on account of any thing done by virtue of his Office, or in relation to the Functions of the Commissioners, any Fee or Reward whatsoever other than the Salaries, Rewards, or Allowances allowed by the Commissioners, or be in anywise concerned or interested in any Bargain or Contract made by the Commissioners, he shall be incapable of being afterwards employed by the Commissioners, and he shall forfeit Fifty Pounds to any Person who shall sue for the same as aforesaid.

Commissioners to take Security from all Officers intrusted with Money.

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

Officers to account.

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

Remedy against Officers failing to account.

XXXV. And be it enacted, That if any such Officer shall fail to render such Accounts, or to produce and deliver up all the Vouchers and the Receipts relating to the same in his Possession or Power, or to pay the Balance thereof when thereunto required, or if for Three Days after being thereunto required he shall fail to deliver up to the Commissioners, or to any Person appointed by them to receive the

the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Commissioners, then, on Complaint thereof being made to any Justice acting within the Jurisdiction where such Officer may be found, such Justice shall, by Warrant under his Hand and Seal, cause such Officer to be brought before any Two Justices, or if such Officer cannot be found, then in his Absence such Justices may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Monies of the Commissioners are in the Hands of such Officer, or owing by him to the Commissioners, such Justices may order such Officer to pay the same forthwith, and if he shall fail to pay the Amount it shall be lawful for such Justices to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain, without Bail, for any Time not exceeding Three Calendar Months; and in any of the following Cases; (that is to say,)

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

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

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

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

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

Commitment not to discharge Sureties.

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

Books of Accounts to be kept, and to be open to Inspection.

XXXVII. And be it enacted, That the Commissioners shall cause a Book to be kept by their Clerk, in which such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received and expended for the Purposes of this Act, and of the several Matters for which such Sums of Money shall have been received or expended; and such Book shall at all seasonable Times be open to the Inspection of the Commissioners, and of every Creditor on the Rate and Assessment by this Act authorized to be received, and of every Person paying such Rate or Assessment, without any Fee being demanded for such Inspection; and it shall be lawful for any of the Commissioners, Creditors, and other Persons

aforesaid, at seasonable Times, to take Copies of or Extracts from the said Book, without paying any thing for the same; and if on Request for that Purpose the Clerk shall fail to permit any of the Commissioners, Creditors, or Persons aforesaid to inspect such Book, or to take Copies or Extracts as aforesaid, such Clerk shall for each such Default forfeit a Sum not exceeding Five Pounds.

Accounts to be settled and examined at the annual Meeting.

XXXVIII. And be it enacted, That the Accounts of the Monies received and expended by the Commissioners shall be produced at the First Ordinary Meeting of the Commissioners, which shall take place in *July* in every Year, or at some Adjournment thereof, at which Meeting it shall be lawful for all Parties interested to be present; and such Accounts shall be examined and settled by the Commissioners; and if the same shall be found just and true they shall be allowed by the Commissioners, and certified accordingly under the Hand of the Chairman of such Meeting; and after such Account shall have been so allowed and signed the same shall be final in regard to all Persons whomsoever, unless an Appeal be prosecuted against such Accounts at One of the Two then next General Quarter Sessions of the Peace for the County of *Surrey* or Borough of *Southwark*, which Appeal it shall be lawful for any Person interested in such Account to institute and prosecute, Notice in Writing of such Appeal having been given to the Clerk of the Commissioners Fourteen Days at least before the hearing of any such Appeal.

To be final, unless appealed from.

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

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

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

XL. And be it enacted, That the Commissioners shall every Year cause an annual Account in Abstract to be prepared, showing the total Receipt and Expenditure of all Funds levied by virtue of this Act for the Year ending on the First Day of *December*, or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Clerk for the Time being of the said Commissioners, and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County of

Surrey, and also to the Clerk of the Peace for the Borough of *Southwark*, on or before the First Day of *January* then next; which Account shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the said Commissioners shall omit to prepare and transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

Penalty for Neglect.

XLI. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to borrow at Interest, on the Credit of the several Rates or Assessments by this Act granted and authorized and required to be paid to the Commissioners, and other Property vested in such Commissioners, any Sum of Money which, together with any Sum previously borrowed, shall not exceed the Sum of One hundred thousand Pounds, and in the event of any Part of such Sum of Money being repaid by the Commissioners to re-borrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security aforesaid any more than the Sum of One hundred thousand Pounds in the whole at any one Time; and for securing the Repayment of the Monies so borrowed, with Interest, the Commissioners, or any Three of them, may assign over the said Rates, Assessments, and Property, or any Part thereof, to the Person who shall advance or lend such Money, or his Trustee, as a Security for the Payment of the Money so to be borrowed, together with Interest for the same.

Power to borrow on Mortgage.

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

Form of Mortgage.

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

Mortgages to be without Preference.

XLIV. And be it enacted, That the Expences of every Assignment or Mortgage shall from Time to Time be defrayed by the Commissioners out of the Money raised by the same.

Expences of Mortgages.

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

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

XLVI. And

Assignment of Mortgages.

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

Register of Transfers to be kept.

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

Interest on Mortgages to be paid half-yearly.

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

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

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

Mode of paying off Mortgages.

L. And in order that no undue Preference may be given in paying off any such Mortgages or Assignments, be it enacted, That when and as often as the Commissioners shall, under the Provisions of this Act, be enabled and think it expedient to pay off One or more out of the Number of such Mortgages upon which the same Rate of Interest shall be payable, or a Part of the Money secured on any such Mortgage, they shall cause the several Numbers of such Mortgages to be written upon distinct Slips of Paper of an equal Size, and all such Slips shall be rolled or folded up in similar Form, and put into a Box, and the Clerk to the Commissioners shall, in the Presence of Three or more of the Commissioners, draw separately out of the said Box One of the said Slips, and thereupon the Mortgage corresponding with the Number so drawn, or the Part of the Money due thereon so proposed to be paid off, shall accordingly be paid off by the Commissioners; and after every such Ballot

Ballot the Commissioners shall cause a Notice, signed by their Clerk, to be given to the Person entitled to the Money to be paid off pursuant to such Ballot, and such Notice shall express the Principal Sum proposed to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Six Months from the Date of giving such Notice, and at the Expiration of such Period the Interest of the Principal Money to be paid off shall cease, unless such Principal Money and Interest be not paid, on Demand, pursuant to such Notice; but such Principal Money, and the Interest thereof, to the End of the said Six Months, shall nevertheless be payable, on Demand.

Application of Monies to be borrowed.

LI. And be it enacted, That all the Money which shall be raised on the Credit of the Rates hereby authorized to be received shall be applied, in the first place, in paying the Expences of obtaining and passing this Act, or incident thereto, and afterwards in making such new Street, and other permanent Improvements connected therewith, within the Limits of this Act, as are hereby authorized, and as the Commissioners shall direct to be made.

Service of Notice on Commissioners.

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

Authentication of Notices.

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

Releases to Witnesses.

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

Tender of Amends.

LV. And with respect to Actions brought in respect of any Proceeding under the Provisions of this Act, be it enacted, That if before an Action be brought any Party having committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or by virtue of any Power or Authority hereby given, make sufficient Tender of Satisfaction, the Plaintiff shall not recover in any Action brought on account of such Irregularity, Trespass, or other

wrongful Proceeding; and if no such Tender shall have been made it shall be lawful for the Party offending, by Leave of the Court where such Action shall be pending, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Power to purchase Lands.

LVI. And be it enacted, That, subject to the Provisions of this Act, it shall be lawful for the Commissioners to agree with the Owners of the Lands in the Schedule (D.) to this Act annexed, and other Persons interested therein, for the absolute Purchase for a Consideration in Money of any such Lands, or such Parts thereof as they shall think proper, and of all subsisting Leases therein, and of all Rent-services, Rent-charges, Annuities, Mortgages, or Incumbrances affecting any such Lands, and all other Estates or Interests in such Lands of what Kind soever.

Parties under Disability enabled to sell and convey.

LVII. And be it enacted, That it shall be lawful for all or any of the following Parties, being seised, possessed of, or entitled to any such Lands, or any such Estate or Interest therein as aforesaid, to sell and dispose, and convey or release the same to the Commissioners, and to enter into all necessary Agreements for that Purpose; (that is to say,) all Corporations, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Married Women seised in their own Right or entitled to Dower, Guardians, Committees of Lunatics and Idiots, Trustees, or Feoffees in Trust for charitable or other Purposes, Executors and Administrators; and the Power so to sell and convey as aforesaid may lawfully be exercised by all such Parties, not only on behalf of themselves, and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of every Person entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, unborn, or not to be found, and as to such Married Women as if they were sole, and as to such Guardians on behalf of their Wards, and as to such Committees on behalf of the Lunatics and Idiots of whom they are the Committees respectively, and that to the same Extent as such Wives, Wards, and Lunatics respectively could have exercised the same Power under the Authority of this Act as if they had respectively been under no Disability, and as to such Trustees, Executors, and Administrators on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Femes Covert, or other Persons, and that to the same Extent as such Cestuique Trusts respectively could have exercised the same Powers under the Authority of this Act if they had respectively been under no Disability.

Parties under Disability may exercise other Powers.

LVIII. And be it enacted, That the Power herein-after given to enfranchise Copyhold Lands, as well as every other Power required to be exercised by the Lord of any Manor, pursuant to the Provisions of this Act, and the Power to release Lands from any Rent, Payment, Charge, or Incumbrance, and to agree for the Apportionment of any such Rent, Charge, or Incumbrance, shall extend to and may lawfully be exercised by every Party herein-before enabled to sell and dispose of or convey or release Lands to the Commissioners.

Consideration to be a gross Sum.

LIX. And be it enacted, That the Consideration to be paid for the Purchase of any such Lands, or for any Damage done thereto, shall be in a gross Sum.

Acceptance of Compensation for Price of or Damage to Lands.

LX. And be it enacted, That the Owners of any such Lands, or of any such Estate or Interest therein as aforesaid, and all Parties by this Act enabled to convey any such Land, may agree to accept, and, subject to the Restrictions in this Act contained as to the Payment thereof, may accept Satisfaction for the Value of such Lands, or any Interest therein, to which such Party shall be entitled; and in addition to Compensation for the Value of such Lands, or of the Interest therein to be so conveyed, such Parties shall be entitled to and may in like Manner accept Compensation for any Damage by them sustained by reason of the severing or dividing of such Lands or otherwise owing to the Exercise of the Powers of this Act.

Amount of Compensation to be ascertained by Valuation in case of Parties under Disability.

LXI. And with respect to the Consideration Money to be paid for any Lands to be purchased from any Party under any Disability or Incapacity, and not having Power to sell or convey except under the Provisions in this Act contained, and the Compensation Money to be paid for any permanent Damage or Injury to any such Lands, be it enacted, That such Consideration Money or Compensation shall not, except where the same shall have been determined by the Verdict of a Jury under the Provisions herein-after contained, be less than shall be determined by the Valuation of Two able practical Surveyors, one of whom shall be nominated by the Commissioners, and the other by the other Party; and if such Two Surveyors cannot agree in the Valuation, then by such Third Surveyor as any Two Justices shall for that Purpose nominate, and each of such Two Surveyors if they agree, or if not then the Surveyor nominated by the said Justices, shall annex to the Valuation a Declaration of the Correctness thereof.

Compensation to absent Parties to be ascertained by Valuation.

LXII. And with respect to the Compensation Money to be paid for any Lands to be purchased from any Party who by reason of Absence, or from any other Incapacity or Accident, is prevented from treating, or cannot be found, and the Compensation Money to be paid for any permanent Injury to such Lands, and for the other Purposes in this Act mentioned, be it enacted, That such Consideration or Compensation shall not be less than shall be determined by the Valuation of such able practical Surveyor as Two Justices shall nominate for that Purpose, and such Surveyor shall annex to the Valuation a Declaration of the Correctness thereof.

Commissioners empowered to convey surplus building Land in lieu of the Land required for the Street.

LXIII. And be it enacted, That it shall be lawful for the Commissioners, if they shall think fit, to contract and agree with any Person, being Owner of any Land required for the Purposes of this Act, for the Conveyance to the Commissioners of such Land so required, and in lieu thereof for the Conveyance of any Piece or Parcel of Land which shall remain after the Formation of the said Street, and be appropriated for the Erection of Houses thereon; and thereupon the Land so given to the said Commissioners shall be conveyed to the said

said Commissioners in Manner and Form herein mentioned, or as near thereto as may be; and the Land so given by the said Commissioners shall be conveyed and assured to the Person so taking the same in exchange under the Hands and Seals of Three at least of the said Commissioners; and thereupon the Land so conveyed and assured shall remain and continue under and subject to the like Uses, Trusts, Intents, and Purposes in all respects as the Land so given in exchange for the same was subject and liable to previous to such Exchange: Provided always, that in case of Parties not having Power to sell, except under the Provisions of this Act, the Value of as well the Lands conveyed by the said Commissioners as of the Property taken by them in exchange shall be first ascertained by the Verdict of a Jury, or by Two able practical Surveyors in manner herein provided; and it shall be lawful for the said Commissioners, and for the Person making such Exchange with the said Commissioners, to pay or receive, as the Case may be, the Difference, if any, between the Value of the Property so given and that of the Property so taken in exchange, as Part of the Consideration Money for such Conveyance to be made to or by them as aforesaid, such Money to be paid and applied as directed by this Act.

Form of Conveyance.

LXIV. And be it enacted, That all Conveyances of Land so to be purchased as aforesaid may be according to the Form in the Schedule (C.) to this Act annexed, or as near thereto as the Circumstances of the Case will admit, and all such Conveyances shall be effectual to vest the Lands thereby conveyed in the Commissioners, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed, and to bar and destroy all such Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever of and in the Lands comprised in such Conveyance as shall have been purchased or compensated for by the Consideration therein mentioned, but although Terms of Years be thereby merged they shall in Equity afford the same Protection as if they had been kept on foot and assigned to a Trustee for the Commissioners to attend the Reversion and Inheritance.

Costs of Conveyance.

LXV. And with respect to the Costs of the Conveyance of any such Lands purchased or taken by the Commissioners, be it enacted, That all such Costs shall be borne by the Commissioners, and such Costs shall include all Charges and Expences incurred on the Part as well of the Seller as of the Purchaser of all Conveyances and Assurances of any such Land, and of any outstanding Term or Interests therein, and of deducing, evidencing, and verifying the Title to such Lands, Terms, or Interests, and of making out and furnishing such Abstracts and attested Copies as the Commissioners may require, and all other Expences incident to the Investigation, Deduction, and Verification of such Title; and before the Commissioners enter into possession of the Lands so purchased or taken they shall pay the Amount of such Costs, and if there be any Dispute about the same they shall obtain an Order for Taxation thereof as herein-after provided; nevertheless, if within Seven Days after Notice in Writing from the Commissioners the Parties from whom such Lands shall have been

been purchased do not deliver a Bill of their Costs to the Commissioners, then the Commissioners shall not be prevented from entering into possession of such Lands by reason of the Nonpayment of such Costs, or by reason of such Order for Taxation thereof not having been obtained.

Taxation of Costs.

LXVI. And be it enacted, That if the Commissioners and the Party entitled to any such Costs shall not agree as to the Amount thereof such Costs shall be ascertained by the Court of Chancery, and for that Purpose either Party may apply to the Court by Petition, and thereupon the Court shall order such Costs to be referred to one of the Masters, to be taxed in the usual Manner, and upon Proof of such Service the Master shall proceed to tax such Costs accordingly, Notice of such Taxation being given to the other Party; and after the Taxation thereof it shall be lawful for the Court to order the Amount at which the same shall be so taxed, together with the Costs of Taxation, or so much of the same as shall be payable by the Commissioners, to be paid to the Party entitled thereto, and the same shall be paid accordingly; and the Expence of taxing such Costs, and of obtaining the Order referring the same to be taxed, shall be borne by the Commissioners, unless on the Taxation One Sixth Part of the Costs be disallowed, in which Case the Expence shall be borne by the Party from whom the Lands shall have been purchased or taken.

Purchase Money payable to Parties under Disability amounting to 200*l.* to be deposited in the Bank of England.

LXVII. And for the Purpose of providing for the Deposit and Application of the Purchase Money or Compensation to be paid in respect of any such Lands which may belong to Parties under Disability, be it enacted, That if any such Purchase Money or Compensation shall be payable in respect of any such Lands, or any Interest therein which any Corporation, Tenant for Life, or for any other partial or qualified Interest, Married Woman seised in her own Right or entitled to Dower, Guardian, Committee of Lunatic or Idiot, Trustee, Executor, or Administrator, or Person under any Disability, shall be entitled to, and shall under the Powers of this Act be enabled to convey or dispose of the same, shall, if it amount to or exceed the Sum of Two hundred Pounds, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* "The Commissioners of the *Southwark* Improvement," pursuant to the Method prescribed by an Act of the Twelfth Year of the Reign of His Majesty King *George* the First, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery; and to prevent the counterfeiting of* East India *Bonds, and Indorsements thereon, as likewise Indorsements on* South Sea *Bonds*, and pursuant to the General Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His Majesty King *George* the Second, intituled *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of* England *belonging to the Suitors of the said Court, for the Ease of the said Suitors by applying the Interest therefrom for answering the Charges of the*

12 G. 1. c. 32.

12 G. 2. c. 24.

Application of Monies deposited.

Office of the Accountant General of the said Court; and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes; (that is to say,)

In the Purchase or Redemption of the Land Tax, or the Discharge of any Debt or Incumbrance affecting the Land in respect of which such Money shall have been paid, or affecting other Lands settled therewith to the same or the like Uses, Trusts, or Purposes; or

In the Purchase of other Lands, to be conveyed, limited, and settled upon the like Uses, Trusts, and Purposes, and in the same Manner, as the Lands in respect of which such Money shall have been paid stood settled; or,

If such Monies shall be paid in respect of any Buildings taken under the Authority of this Act, in replacing such Buildings, or substituting others in their Stead, in such Manner as the Court of Chancery shall direct; or

In Payment to any Party becoming absolutely entitled to such Money.

Order for Application.

LXVIII. And be it enacted, That such Money may be so applied as aforesaid upon an Order of the Court of Chancery made on the Petition of the Party who would have been entitled to the Rents and Profits of the Lands in respect of which such Money shall have been deposited; and until the Money can be so applied it may, upon the like Order, be invested by the said Accountant General in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and until such Annuities or Securities shall be ordered to be sold, or converted into Money, for the Purposes aforesaid, the Interest, Dividends, and annual Proceeds thereof shall from Time to Time be paid to the Party who would for the Time being have been entitled to the Rents and Profits of the Lands; and the Order for such Investment and Application of the Interest, Dividends, and annual Proceeds thereof may be made on the like Petition.

Sums from 20*l.* to 200*l.* to be deposited, or vested in Trustees.

LXIX. And with respect to any such Purchase Money or Compensation which shall not amount to the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, be it enacted, That the same shall either be paid into the Bank of *England*, and applied in the Manner herein-before directed with respect to Sums amounting to or exceeding Two hundred Pounds, or the same may lawfully be paid to Two Trustees, to be nominated by the Parties entitled to the Rents or Profits of the Lands in respect whereof the same shall be payable, such Nomination to be signified by Writing under the Hands of the Parties so entitled; and in case of the Coverture, Infancy, Lunacy, or other Incapacity of the Parties entitled to such Monies, such Nomination may lawfully be made by their respective Husbands, Guardians, Committees, or Trustees; but such last-mentioned Application of the Monies shall not be made unless the Commissioners approve thereof, and of the Trustees named for the Purpose, such Approval to be signified in Writing under the Hands of Three or more of them, and the Money so paid to such Trustees, and the Produce arising therefrom, shall be by

such Trustees applied in the Manner herein-before directed with respect to Money paid into the Bank of *England*, but it shall not be necessary to obtain any Order of the Court for that Purpose.

Sums not exceeding 20*l.* to be paid to Parties.

LXX. And with respect to any such Money which shall not exceed the Sum of Twenty Pounds, be it enacted, That the same shall be paid to the Parties who would for the Time being have been entitled to the Rents and Profits of the Lands in respect whereof the same shall be payable, for their own Use and Benefit, or, in case of the Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity of any such Parties, then such Money shall be paid, for their Use, to the respective Husbands, Guardians, Committees, or Trustees of such Persons.

Where Parties refuse to convey, or do not show Title, the Purchase Money to be deposited.

LXXI. And for the Purpose of providing for the Payment and Application in certain Cases of the Purchase Money or Compensation to be paid in respect of any such Lands not belonging to Parties under Disability, be it enacted, That in the following Cases, (that is to say,) if the Owner of any such Lands, or of any Interest therein, on Tender of the Purchase Money or Compensation either agreed or awarded to be paid, refuse to accept the same, or if any such Person fail to make out a Title to the Lands in respect whereof such Purchase Money or Compensation shall be payable, or to the Interest therein claimed by him, to the Satisfaction of the Commissioners, or if such Owner be gone out of the Kingdom, or cannot be found, or be not known, or refuse to convey or release such Lands, as directed by the Commissioners, it shall be lawful for the Commissioners to deposit the Purchase Money or Compensation payable in respect of such Lands, or any Interest therein, in the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there to the Credit of the Parties interested in such Lands, (describing them, so far as the Commissioners can do,) subject to the Control and Disposition of the said Court; and upon Receipt of such Money the Cashier of such Bank shall give to the Commissioners, or to the Party paying in such Money, a Receipt for such Money, specifying therein for what and for whose Use (described as aforesaid) the same shall have been received, and in respect of what Purchase the same shall have been paid in, and thereupon all the Interest in such Lands in respect whereof such Purchase Money or Compensation shall have been deposited shall vest absolutely in the Commissioners.

Application of Monies so deposited.

LXXII. And be it enacted, That upon the Application by Petition of any Party making claim to the Money so deposited as last aforesaid, or any Part thereof, the said Court of Chancery may in a summary Way, as to such Court shall seem fit, order the same to be laid out or invested in the Public Funds, or may order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Rights, Titles, or Interest of the Parties making claim thereunto, and may make such other Order in the Premises as to such Court shall seem fit.

LXXIII. Pro-

Court of Chancery may direct Investment or Payment of Money in respect of Leases for Lives, Years, &c., or Reversions, as they may think just.

LXXIII. Provided always, and be it enacted, That where any such Purchase Money or Compensation so paid into the Court of Chancery shall have been paid in respect of any Lease for Lives or Years, or any Estate in Lands less than the whole Fee Simple thereof, or of any Reversion dependent on any such Lease or Estate, it shall be lawful for the Court of Chancery, on the Petition of any Party interested in such Money, to order that the same shall be laid out, invested, accumulated, and paid in such Manner as the said Court may consider will give to the Parties interested in such Money the same Benefit therefrom as they might have legally had from the Lease, Estate, or Reversion in respect of which such Money shall have been paid, or as near thereto as may be.

Party in possession deemed to be the Owner.

LXXIV. And be it enacted, That if any Question arise respecting the Title to the Lands in respect whereof such Monies shall have been so paid or deposited as aforesaid, the Parties respectively in Possession or Receipt of the Rents of such Lands at the Time of such Lands being purchased or taken shall be deemed to have been lawfully entitled to such Lands, until the contrary be shown to the Satisfaction of the Court; and unless the contrary be shown as aforesaid, the Parties so in possession, and all Parties claiming under them, or consistently with their Possession, shall be deemed entitled to the Money so deposited, and to the Dividends or Interests of the Annuities or Securities purchased therewith, and the same shall be paid and applied accordingly.

Costs in Cases of Money deposited.

LXXV. And with respect to Costs in Cases of Monies deposited in the Bank of *England*, be it enacted, That the Court of Chancery may in all such Cases, except where Monies have been so deposited by reason of the wilful Refusal of any Party entitled thereto to receive the same, or to convey or release the Lands in respect whereof the same shall be payable, order the Costs of the following Matters, including therein all the reasonable Charges and Expences incident thereto, to be paid by the Commissioners; (that is to say,) the Costs of the Purchase or of the taking or using of the Lands, or which shall have been incurred in consequence thereof, other than such Costs as are herein otherwise provided for; and the Costs of the Investment of such Monies in Government or Real Securities, and of the Re-investment thereof, or of the Government or Real Securities purchased therewith, in the Purchase of other Lands; and also the Costs of obtaining the proper Orders for any of the Purposes aforesaid, and of the Orders for the Payment of the Dividends and Interests of the Government or Real Securities upon which such Monies shall be invested, and for the Payment out of Court of the Principal of such Monies, or of the Government or Real Securities whereon the same shall be invested, and of all other Proceedings relating thereto, except such as are occasioned by Litigation between adverse Claimants.

Payment of Price to be made previous to Entry, ex-

LXXVI. And be it enacted, That the Commissioners shall not, except by Consent of the Owner and Occupier, enter upon any Lands which shall be required to be purchased or permanently used for the Purposes of this Act, until they shall either have paid to every Party having

having any Interest in such Lands, or deposited in the Bank of *England* in the Manner herein mentioned, the Purchase Money or Compensation agreed or awarded to be paid to such Parties respectively for their respective Interest therein: Provided always, that for the Purpose merely of surveying and taking Levels of such Lands it shall be lawful for the Commissioners to enter upon the same without the previous Consent of the Owners, making Compensation for any Damage thereby occasioned to the Owners or Occupiers of such Lands. Proviso as to survey, &c.

LXXVII. And be it enacted, That if the Commissioners or any of their Contractors shall, except as aforesaid, wilfully enter upon and take possession of any Lands which shall be required to be purchased or permanently used for the Purposes of this Act, without such Consent as aforesaid, or without having made such Payment or Deposit as aforesaid, the Commissioners shall forfeit to the Party in possession of such Lands the Sum of Ten Pounds over and above the Amount of any Damage done to such Lands by reason of such Entry and taking possession as aforesaid, such Penalty and Damage respectively to be recovered before Two Justices; and if the Commissioners or their Contractors shall, after Conviction in such Penalty as aforesaid, or after Notice from the Party in possession of such Lands, continue in unlawful Possession of any such Lands, the Commissioners shall be liable to forfeit the Sum of Twenty-five Pounds for every Day they or their Contractors shall so remain in possession as aforesaid, such Penalty to be recoverable by the Party in possession of such Lands, with full Costs of Suit, in any of the Superior Courts: Provided always, that nothing herein contained shall be held to subject the Commissioners to the Payment of any such Penalties as aforesaid, if they shall *bonâ fide* and without Collusion have paid or deposited the Compensation agreed or awarded to be paid in respect of the said Lands to any Person whom the Commissioners may have reasonably believed to be entitled thereto, although such Person may not have been legally entitled thereto. Penalty on Commissioners entering upon Lands without Consent before Payment of the Purchase Money.

LXXVIII. And be it enacted, That on the Trial of any Action for any such Penalty as aforesaid the Decision of the Justices, under the Provision herein-before contained, shall not be held conclusive as to the Right of Entry on any such Lands by the Commissioners. Decision of Justices not conclusive as to Commissioners Right.

LXXIX. And be it enacted, That when the Commissioners shall require to purchase any of the Lands which by this Act they are authorized to purchase or take, they shall give Notice thereof to all the Parties interested in such Lands, or enabled by this Act to sell and convey or release the same, or such of them as shall be known to the Commissioners, and by such Notice shall demand from such Parties the Particulars of their Estate and Interest in such Lands, and of the Claims made by them in respect thereof; and every such Notice shall be in Writing, and shall state the Particulars of the Lands so required, and shall state that the Commissioners are willing to treat for the Purchase of the Interest of such Party in such Lands, and as to the Compensation to be made for the Damage Notice of Intention to take Lands.

that may be sustained by him by reason of the making of the Improvement.

Parties interested in Lands to state their Claims.

LXXX. And be it enacted, That if for One Month after the Receipt of such Notice any such Party shall fail to state the Particulars of his Claim in respect of any such Land, or to treat with the Commissioners in respect of his Interest therein, or if such Party and the Commissioners shall differ as to the Amount of the Compensation to be paid to such Party for any such Interest, or for any Damage that may be sustained by him by reason of the Execution of the Improvement, the Amount of such Compensation shall be settled in the Manner herein-after provided for settling Cases of disputed Compensation.

Proceedings in case of Refusal to deliver Possession of Lands.

LXXXI. And be it enacted, That where, according to the Provisions of this Act, the Commissioners are authorized to enter upon and take possession of any Lands required for the Purposes of the Improvement, if the Owner or Occupier of any such Lands, or any other Persons, refuse to give up the Possession thereof, or hinder the Commissioners from entering upon or taking possession of the same, it shall be lawful for the Commissioners to issue their Precept, under the Hands and Seals of Three or more of them, to the High Bailiff of *Southwark*, or Sheriff of the County of *Surrey*, to deliver Possession of the same to the Person appointed in such Precept to receive the same, and upon the Receipt of such Precept the said High Bailiff or Sheriff shall deliver Possession of any such Lands accordingly; and the Costs accruing by reason of the issuing and Execution of such Precept, to be settled by the said High Bailiff or Sheriff, shall be paid by the Persons refusing to give Possession, and such Costs, if not paid, on Demand, shall be levied by Distress, and the said High Bailiff or Sheriff shall issue his Warrant accordingly.

Dispute as to Compensation to be settled by a Jury.

LXXXII. And for the Purpose of making Provision for settling Cases of disputed Compensation arising under this Act, be it enacted, That if any Difference shall arise, or if no Agreement can be come to, between the Commissioners and the Owners of any Lands, or of any Interest in any such Lands, taken or required for or injuriously affected by the Execution of the Improvement (including among such Owners all Parties by this Act enabled to sell or convey Lands), as to the Value of such Lands or of any Interest therein, or as to the Compensation to be made in respect thereof, or if by reason of Absence any such Owner be prevented from treating, or if any such Owner fail to disclose or prove his Title to any such Lands or any Interest therein, or if by reason of any Impediment or Disability any such Owner be incapable of making any Agreement, Conveyance, or Release necessary for enabling the Commissioners to take such Lands, or to proceed in making the Improvement, or if any such Difference arise as to the Amount of the Damages occasioned to any Lands by the temporary Occupation thereof in the making of the Improvement or otherwise in exercise of the Powers given by this Act, and for which any Party may be entitled to demand Compensation according to the Provisions of this Act, the Amount of the Compensation to be paid by the Commissioners in every such Case

Case shall be settled by the Verdict of a Jury in manner herein-after mentioned.

Claims not exceeding 50*l.* to be settled by Two Justices.

LXXXIII. Provided always, and be it enacted, That if the Compensation claimed in any of the Cases mentioned in the preceding Enactment shall not exceed the Sum of Fifty Pounds the same shall be settled by Two Justices.

Justices may appoint a Surveyor to ascertain Compensation.

LXXXIV. And be it enacted, That in all Cases in which by this Act the Amount of Compensation is directed to be settled by Two Justices of the Peace it shall be lawful for such Justices, if they see fit, to appoint an impartial Surveyor, who shall report to them his Opinion as to the Amount of Compensation payable by the Commissioners; and the Costs and Expences of such Surveyor shall be borne by the Commissioners, unless the said Justices shall award a less Sum than shall have been previously offered by the Commissioners, in which Case one Moiety of such Costs and Expences shall be borne by the Commissioners, and the other Moiety by the Person claiming the Compensation as aforesaid.

Notice by Commissioners of Intention to have a Jury summoned.

LXXXV. And be it enacted, That where it shall be necessary to refer any such Question to the Determination of a Jury by reason of any such Difference as aforesaid, then, One Month at the least before issuing their Warrant for summoning a Jury, as herein-after mentioned, the Commissioners shall give Notice in Writing to the Party with whom such Difference shall have arisen of their Intention to cause such Jury to be summoned; and in such Notice the Commissioners shall state what Sum of Money they are willing to give such Party for his Interest in such Lands, and for the Damage to be sustained by him by the Execution of the Improvement.

Requisition by Party claiming Compensation that a Jury be summoned.

LXXXVI. And be it enacted, That if any Party, who shall be entitled to any Compensation in respect of any Lands or of any Interest therein taken for or injuriously affected by the making of the Improvement, shall desire the Amount of such Compensation to be determined by a Jury, it shall be lawful for such Party to give Notice in Writing to the Commissioners of such his Desire, and he shall in such Notice state the Nature of the Interest claimed by him in such Lands, and the Amount of the Compensation claimed by him in respect thereof; and unless the Commissioners be willing to pay the Amount of Compensation so claimed, and shall enter into a written Agreement for that Purpose, then, within Twenty-one Days after the Receipt of any such Notice from any Party so entitled, they shall issue their Warrant to the High Bailiff of the Borough of *Southwark* to summon a Jury accordingly, in the Manner herein mentioned.

Warrant for summoning a Jury to be addressed to the High Bailiff or Coroner.

LXXXVII. And be it enacted, That in every Case in which any such Question of disputed Compensation shall be required to be determined by the Verdict of a Jury the Commissioners shall issue their Warrant to the said High Bailiff, under the Hands of any Three or more of the Commissioners, requiring him to summon a Jury for that Purpose; and if such Bailiff be interested in the Matter

in

in dispute, by being a Commissioner or otherwise, such Application shall be made to some Coroner of the Borough of *Southwark*, and if all the Coroners of such Borough be so interested, such Application may be made to some Person having filled the Office of High Bailiff or Coroner of *Southwark*, and who shall be then living there, and who shall not be interested in the Matter in dispute; and with respect to the Persons last mentioned Preference shall be given to one who shall have most recently served either of the said Offices.

Provisions applicable to High Bailiff to apply to Coroner.

LXXXVIII. And be it enacted, That throughout the Enactments contained in this Act relating to the Reference to a Jury, where the Term "High Bailiff" is used, the Provisions applicable thereto shall be held to apply to every Coroner or other Person lawfully acting in his Place; and in every Case in which any such Warrant shall have been directed to any other Person than the High Bailiff, such High Bailiff shall, immediately on receiving Notice of the Delivery of the Warrant, deliver over, on Application for that Purpose, to the Person to whom the same shall have been directed, or to any Person appointed by him to receive the same, the Jurors Book and Special Jurors List belonging to the said Borough.

Summoning of Jurymen.

LXXXIX. And be it enacted, That upon the Receipt of such Warrant the High Bailiff shall summon a Jury of Twenty-four indifferent Persons, duly qualified to act as Common Jurymen in the Superior Courts, to meet at the Time and Place named in the Warrant for that Purpose.

Impannelling of Jury.

XC. And be it enacted, That out of the Jurors appearing upon such Summons a Jury of Twelve Persons shall be drawn by the High Bailiff in such Manner as Juries for Trials of Issues joined in the Superior Courts are by Law required to be drawn; and if a sufficient Number of Jurymen do not appear in obedience to such Summons the High Bailiff shall return other indifferent Men, duly qualified as aforesaid, of the By-standers or others that can be procured speedily, to make up the Jury to the Number aforesaid, and all Parties concerned may have their lawful Challenges against any of the Jurymen, but no such Party shall challenge the Array.

Notice of Inquiry.

XCI. And be it enacted, That Fourteen Days Notice of the Time and Place of the Inquiry shall be given in Writing by the Commissioners to the other Party.

Justices to preside;

XCII. And be it enacted, That the Justices of the Peace for the Borough of *Southwark*, at some Special or Quarter Session of the Peace to be holden in and for the said Borough, or some Adjournment thereof, shall preside on the said Inquiry, and the Party claiming Compensation shall be deemed the Plaintiff, and shall have all such Rights and Privileges as the Plaintiff is entitled to in the Trial of Actions at Law; and, if either Party so request in Writing, the Justices shall summon before them any Person considered necessary to be examined as a Witness touching the Matters in question, and, on the like Request, the Justices shall order the Jury, or any Six or more of them, to view the

Witnesses to be summoned.

Place or Matter in controversy, in the like Manner as Views may be had in the Trials of Actions in the Superior Courts.

Oath of Jurymen.

XCIII. And be it enacted, That, before the Jury proceed to inquire of and assess the Compensation or Damage in respect of which their Verdict is to be given, they shall make Oath that they will truly and faithfully inquire of and assess such Compensation or Damage, and the Justices shall administer such Oaths, as well as the Oaths of all Persons called upon to give Evidence.

Verdict of Jury for Purchase of Lands and for Damage to be assessed separately.

XCIV. And be it enacted, That such Jury shall deliver their Verdict for the Sum of Money to be paid for the Purchase of the Lands required for the Improvement, or of any Interest therein, belonging to the Party with whom such Questions of disputed Compensation shall so have arisen, and also the Sum of Money to be paid for the Injury done to the Lands of any such Party by the Severance from such Lands of the Lands required by the Commissioners, and also the Sum of Money to be paid by way of Compensation for the Damage occasioned to any such Lands by the Execution of the Works, whether it be for Damage sustained before the Time of the Inquiry, or for future Damage, either temporary or permanent, or for any recurring Damage of which the Cause is then only in part obviated, and which cannot or will not be further obviated by the Commissioners; and the Sums of Money to be paid by way of Compensation for any such Damage as aforesaid shall in every Case be assessed separately from the Value of the Lands, or the Sum to be paid for the Purchase thereof, or of any Interest therein.

Value of Interests previously purchased to be deducted.

XCV. And be it enacted, That in assessing the Sum of Money to be paid for the Purchase of any such Lands the Value of any Interest in such Lands as shall have been theretofore rightfully purchased by the Commissioners shall be first deducted.

Verdict and Judgment to be recorded.

XCVI. And be it enacted, That the Justices shall give Judgment for the Purchase Money or Compensation assessed by such Jury; and the said Verdict and Judgment shall be signed by the presiding Justice, and being so signed shall be kept by the Clerk of the Peace among the Records of the Quarter Sessions of the said Borough; and such Verdicts and Judgments shall be deemed Records, and the same or true Copies thereof shall be good Evidence in all Courts and elsewhere; and all Persons may inspect the said Verdicts and Judgments, and may have Copies thereof or Extracts therefrom, on paying for each Inspection thereof One Shilling, and for every One hundred Words copied or extracted therefrom Sixpence.

Costs of the Inquiry.

XCVII. And be it enacted, That on every such Inquiry before a Jury, where the Verdict of the Jury shall be given for the same or a greater Sum than the Sum previously offered by the Commissioners, all the Costs of such Inquiry shall be borne by the Commissioners; but if the Verdict of the Jury be given for a less Sum than the Sum previously offered by the Commissioners, one Half of the Costs shall be defrayed by the Owner of the Lands, and the other Half by the Commissioners: Provided always, that in every Case where by reason

of Absence in Foreign Parts, or of any Disability, the Owner of the Land shall have been prevented from treating with the Commissioners, all the Costs shall be borne by the Commissioners.

Particulars of the Costs.

XCVIII. And be it enacted, That such Costs shall be settled by the Clerk of the Peace, and such Costs shall include all reasonable Costs, Charges, and Expences incurred in summoning, impannelling, and returning the Jury, taking the Inquiry, the Attendance of Witnesses, the Employment of Counsel, recording the Verdict and Judgment thereon, and otherwise incident to such Inquiry; and also the Expences of the Bond, if any, given by the Party at whose Instance the Inquiry shall have been taken, for prosecuting his Claim, and securing the Costs of such Inquiry; and with respect to any such Costs payable by the Commissioners, if within Seven Days after Demand such Costs be not paid to the Party entitled to receive the same, the same shall be recoverable by Distress, and on Application to any Justice he shall give his Warrant accordingly; and with respect to any such Costs payable by the Owner of the Lands, or of any Interest therein, the same may be deducted out of any Money awarded by the Jury to be paid to such Owner as so much Money advanced for his Use, and the Payment of the Remainder of such Money shall be a good Payment and Satisfaction of the whole thereof.

Penalty on Bailiff or Sheriff and Jury for Default.

XCIX. And be it enacted, That if the High Bailiff make default in any of the Matters herein-before required to be done by him in relation to any such Trial or Inquiry he shall forfeit Fifty Pounds for every such Offence; and if any Person summoned and returned upon any Jury under this Act do not appear, or appear but refuse to make Oath, or in any other Manner unlawfully neglect his Duty, he shall, unless he show reasonable Excuse to the Satisfaction of the Justices, forfeit a Sum not exceeding Ten Pounds; and every such Penalty payable by a Bailiff, Sheriff, or Juryman shall be applied in satisfaction of the Costs of the Inquiry, so far as the same will extend; and in addition to the Penalty hereby imposed, every such Juryman shall be subject to the same Regulations, Pains, and Penalties as if such Jury had been returned for the Trial of any Issue joined in any of the Superior Courts.

Penalty on Witnesses making default.

C. And be it enacted, That if any Person duly summoned to give Evidence upon any such Inquiry, and to whom a Tender of his reasonable Expences shall have been made, fail to appear at the Time and Place specified in the Summons, without sufficient Cause, or if any Person, whether summoned or not, who shall appear as a Witness, refuse to be examined on Oath touching the Subject Matter in question, every Person so offending shall forfeit a Sum not exceeding Ten Pounds.

Reference of Dispute as to Compensation to Two Justices.

CI. And with respect to any such Question of disputed Compensation, or other Matter of Difference by this Act authorized to be referred to the Determination of Two Justices, be it enacted, That either Party may apply to such Justices in respect to any such Matter, and thereupon such Justices, in Presence of the Parties, or such of them as shall appear, being duly summoned for that Purpose, shall

examine

examine into the Matter in dispute, and shall award such an Amount of Compensation, or shall make such Determination in respect of the Matter so referred to them, as to them shall seem fit; and the Costs of every such Inquiry shall be in the Discretion of such Justices, and they shall settle the Amount thereof, and in default of Payment of such Costs as directed by such Justices the same shall be levied by Distress, and the said Justices shall issue their Warrant accordingly.

Parties not to be required to sell Part of a House.

CII. And be it enacted, That no Party shall at any Time be required to sell or convey to the Commissioners a Part only of any House or other Building or Manufactory, if such Party shall be willing to sell or convey the Whole thereof.

Power to redeem Mortgages.

CIII. And with respect to any such Lands which shall be subject to any Mortgage, be it enacted, That the Commissioners may purchase or redeem the Interest of the Mortgagee of such Lands, and that whether they shall have previously purchased the Equity of Redemption of such Lands or not, and whether the Mortgagee thereof be entitled thereto in his own Right or in Trust for any other Party, and whether he be in possession of such Lands by virtue of such Mortgage or not, and whether such Mortgage affect such Lands solely or jointly with any other Lands not required for the Purposes of this Act, and in order thereto the Commissioners may pay or tender to such Mortgagee the Principal and Interest due on such Mortgage, together with his Costs and Charges, if any, and also Six Months additional Interest, and thereupon such Mortgagee shall immediately convey his Interest in the Lands comprised in such Mortgage to the Commissioners, or as they shall direct; or the Commissioners may give Notice in Writing to such Mortgagee that they will pay off the Principal and Interest due on such Mortgage at the End of Six Months, computed from the Day of giving such Notice; and if they shall have given any such Notice, or if the Party entitled to the Equity of Redemption of any such Lands shall have given Six Months Notice of his Intention to redeem the same, then at the Expiration of either of such Notices, or at any intermediate Period, upon Payment or Tender by the Commissioners to the Mortgagee of the Principal Money due on such Mortgage, and the Interest which would become due at the End of Six Months from the Time of giving either of such Notices, together with his Costs and Expences, if any, such Mortgagee shall convey or release his Interest in the Lands comprised in such Mortgage to the Commissioners, or as they shall direct.

Deposit of Mortgage Money on Refusal to accept Redemption.

CIV. And be it enacted, That if, in either of the Cases aforesaid, upon such Payment or Tender, any Mortgagee shall fail to convey or release his Interest in such Mortgage, as directed by the Commissioners, or if he fail to adduce a good Title thereto, to their Satisfaction, then it shall be lawful for the Commissioners, at any Time after such Failure, to pay into the Bank of *England*, in the Manner provided by this Act in Cases of Money directed to be deposited in such Bank, the Principal and Interest, together with the Costs, if any, due on such Mortgage; and also, if such Payment be made before

before the Expiration of Six Months Notice as aforesaid, such further Interest as would at that Time become due; and thereupon, as well as upon such Conveyance by the Mortgagee, if any such be made, all the Estate and Interest of such Mortgagee, and of all Persons in Trust for him, or for whom he may be a Trustee in such Lands, shall vest in the Commissioners, and they shall be deemed to be in the actual Possession thereof in case such Mortgagee were himself entitled to such Possession.

Sum to be paid when Mortgage exceeds Value of Lands.

CV. And with respect to any such mortgaged Lands which shall be of less Value than the Principal, Interest, and Costs secured thereon, be it enacted, That the Value of such Lands, or the Compensation to be made by the Commissioners in respect thereof, shall be settled by Agreement between the Mortgagee of such Lands and the Party entitled to the Equity of Redemption thereof on the one Part, and the Commissioners on the other Part; and if the Parties aforesaid fail to agree respecting the Amount of such Value or Compensation, the same shall be determined as in other Cases of disputed Compensation; and the Amount of such Value or Compensation, being so agreed upon or determined, shall be paid by the Commissioners to the Mortgagee in satisfaction of his Mortgage Debt, so far as the same will extend, and upon Payment or Tender thereof the Mortgagee shall convey or release all his Interest in such mortgaged Lands to the Commissioners, or as they shall direct.

Deposit of such Money on Refusal to accept Redemption.

CVI. And be it enacted, That if, upon such Payment or Tender as aforesaid being made, any such Mortgagee fail so to convey his Interest in such Mortgage, or to adduce a Title thereto to the Satisfaction of the Commissioners, then they may pay the Amount of such Value or Compensation into the Bank of *England*, in the Manner provided by this Act in the Case of Monies required to be deposited in such Bank; and every such Payment or Deposit shall be accepted by the Mortgagee in satisfaction of his Mortgage Debt, so far as the same will extend, and shall be a full Discharge of such mortgaged Lands from all Money due thereon; and thereupon such Lands, as to all such Estate and Interest as were then vested in the Mortgagee or any Person in Trust for him, shall become absolutely vested in the Commissioners, and they shall be deemed to be in the actual Possession thereof, in case such Mortgagee were himself entitled to the Possession thereof; nevertheless all Rights and Remedies possessed by the Mortgagee against the Mortgagor, by virtue of any Bond or Covenant, or other Obligation other than the Right to such Lands, shall remain in force in respect of so much of the Mortgage Debt as shall not have been satisfied by such Payment or Deposit.

Sum to be paid where Part only of mortgaged Lands taken.

CVII. And with respect to any such mortgaged Lands, of which only a Part shall be required for the Purposes of this Act, be it enacted, That if the Part so required be of less Value than the Principal Money, Interest, and Costs secured on such Lands, and the Mortgagee shall not consider the remaining Part of such Lands a sufficient Security for the Money charged thereon, or be not willing to release the Part so required, then the Value of such Part, and also the

the Compensation (if any) to be paid in respect of the Damage thereto or otherwise, shall be settled by Agreement between the Mortgagee and the Party entitled to the Equity of Redemption of such Land on the one Part, and the Commissioners on the other; and if the Parties aforesaid fail to agree respecting the Amount of such Value or Compensation, the same shall be determined as in other Cases of disputed Compensation; and the Amount of such Value or Compensation, being so agreed upon or determined, shall be paid by the Commissioners to such Mortgagee in satisfaction of his Mortgage Debt, so far as the same will extend, and thereupon such Mortgagee shall convey or release to them, or as they shall direct, all his Interest in such mortgaged Lands, the Value whereof shall have been so paid; and a Memorandum of what shall have been so paid shall be endorsed on the Deed creating such Mortgage, and shall be signed by the Mortgagee; and a Copy of such Memorandum shall at the same Time (if required) be furnished by the Commissioners, at their Expence, to the Party entitled to the Equity of Redemption of the Lands comprised in such Mortgage Deed.

Deposit of such Money when refused on Tender.

CVIII. And be it enacted, That if, upon Payment or Tender to any such Mortgagee of the Amount of the Value or Compensation so agreed upon or determined, such Mortgagee shall fail to convey or release to the Commissioners, or as they shall direct, his Interest in the Lands in respect of which such Compensation shall so have been paid or tendered, or if he shall fail to adduce a good Title thereto to the Satisfaction of the Commissioners, it shall be lawful for the Commissioners to pay the Amount of such Value or Compensation into the Bank of *England*, in the Manner provided by this Act in the Case of Monies required to be deposited in such Bank; and such Payment or Deposit shall be accepted by such Mortgagee in satisfaction of his Mortgage Debt, so far as the same will extend, and shall be a full Discharge of the Portion of the mortgaged Lands so required from all Money due thereon, and thereupon such Lands shall become absolutely vested in the Commissioners, as to all such Estate and Interest as were then vested in the Mortgagee, or any Person in Trust for him, and in case such Mortgagee were himself entitled to such Possession they shall be deemed to be in the actual Possession thereof; nevertheless, every such Mortgagee shall have the same Powers and Remedies for recovering or compelling Payment of the Mortgage Money, or the Residue thereof (as the Case may be), and the Interest thereof respectively, upon and out of the Residue of such mortgaged Lands, or the Portion thereof not required for the Purposes of this Act, as he would otherwise have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands originally comprised in such Mortgage.

Release of Lands from Rent-charges.

CIX. And with respect to any such Lands which shall be charged with any Rent-service, Rent-charge, or Chief or other Rent, or other Payment or Incumbrance, be it enacted, That if any Difference shall arise between the Commissioners and the Party entitled to any such Charge, respecting the Consideration to be paid for the Release of such Lands therefrom, or from the Portion thereof affecting the

Lands required for the Purposes of this Act, the same shall be determined as in other Cases of disputed Compensation.

Release of Part of Lands from Rent-Charges.

CX. And be it enacted, That if Part only of the Lands charged with any such Rent-service, Rent-charge, Chief or other Rent, Payment, or Incumbrance be required to be taken for the Purposes of this Act, the Apportionment of any such Charge may be settled by Agreement between the Party entitled to such Charge and the Owner of the Lands, on the one Part, and the Commissioners on the other Part; and if such Apportionment be not so settled by Agreement, the same shall be settled by Two Justices; but if the remaining Part of the Lands so jointly subject be a sufficient Security for such Charge, then, with Consent of the Owner of the Lands so jointly subject, such Owner not being under legal Disability or Incapacity, the Party entitled to such Charge may release therefrom the Lands required on condition or in consideration of such other Lands remaining exclusively subject to the whole thereof.

Deposit of such Compensation in case of Refusal to release.

CXI. And be it enacted, That upon Payment or Tender of the Compensation so agreed upon or determined to the Party entitled to any such Charge as aforesaid, such Party shall execute to the Commissioners a Release of such Charge; and if he fail so to do, or if he fail to adduce a good Title to such Charge to the Satisfaction of the Commissioners, they shall pay the Amount of such Compensation into the Bank of *England*, in the Manner provided by this Act in the like Cases of Monies required to be deposited in such Bank; and thereupon the Rent-service, Rent-charge, Chief or other Rent, Payment, or Incumbrance, or the Portion thereof in respect whereof such Compensation shall so have been paid, shall cease and be extinguished.

Charge to continue on Lands not taken.

CXII. And be it enacted, That if any such Lands be so released from any such Charge or Incumbrance, or Portion thereof, to which they were subject, jointly with other Lands, such last-mentioned Lands shall alone be charged with the whole of such Charge, or with the Remainder thereof, as the Case may be, and the Party entitled to the Charge shall have all the same Rights and Remedies over such last-mentioned Lands for the whole or for the Remainder of the Charge, as the Case may be, as he had previously over the whole of the Lands subject to such Charge; and if, upon any such Charge or Portion of Charge being so released, the Deed or Instrument creating or transferring such Charge be tendered to the Commissioners for the Purpose, any Three of the Commissioners shall sign a Memorandum of such Release, endorsed on such Deed or Instrument, declaring what Part of the Lands originally subject to such Charge shall have been purchased by virtue of this Act; and if the Lands be released from Part of such Charge, what Proportion of such Charge shall have been released, and how much thereof continues payable; or if the Lands so required shall have been released from the whole of such Charge then that the remaining Lands are thenceforward to remain exclusively charged therewith; and such Memorandum shall be made and executed at the Expence of the

Commissioners, and shall be Evidence in all Courts and elsewhere of the Facts therein stated, but not so as to exclude any other Evidence of the same Facts.

Where Part only of Lands under Lease taken, the Rent to be apportioned.

CXIII. And with respect to any such Lands which shall be comprised in a Lease for a Term of Years unexpired, Part only of which Lands shall be required for the Purposes of this Act, be it enacted, That the Rent payable in respect of the Lands comprised in such Lease shall be apportioned between the Lands so required and the Residue of such Lands; and such Apportionment may be settled by Agreement between the Lessor and Lessee of such Lands on the one Part and the Commissioners on the other Part; and if such Apportionment be not so settled by Agreement between the Parties such Apportionment shall be settled by Two Justices; and after such Apportionment the Lessee of such Lands shall, as to all future accruing Rent, be liable only to so much of the Rent as shall be so apportioned in respect of the Lands not required for the Purposes of this Act; and the Lessor shall have all the same Rights and Remedies for the Recovery of such Rent as previously to such Apportionment he had for the Recovery of the whole Rent reserved by such Lease; and all the Covenants, Conditions, and Agreements of such Lease, except as to the Amount of Rent to be paid, shall remain in force with regard to that Part of the Land which shall not be required for the Purposes of this Act, in the same Manner as they would have done in case such Part of the Land had been included in the Lease.

Tenants to be compensated.

CXIV. And be it enacted, That every such Lessee as last aforesaid shall be entitled to receive from the Commissioners Compensation for the Damage done to him in his Tenancy by reason of the Execution of any such Works.

Tenants at Will or from Year to Year to cede Possession on Six Months Notice.

CXV. And with respect to any such Lands which shall be in the Possession of any Person having no greater Interest therein than as Tenant at Will, or Lessee for a Year, or from Year to Year, be it enacted, That at the Expiration of Six Months after receiving Notice to that Effect from the Commissioners, or at any other Time, when required, after the Expiration of such Period, all such Persons shall respectively deliver up to the Commissioners, or to the Person appointed by them to take possession thereof, any such Lands in their Possession required for the Purposes of this Act; and any such Notice shall be effectual, whether it be given with reference to the Time of the Commencement of such Tenants holding or not, and whether such Notice be given before or after the Purchase of such Lands by the Commissioners.

Compensation to such Tenants.

CXVI. Provided always, and be it enacted, That if any such Person as last aforesaid be required to give up Possession of any Lands so occupied by him before the Expiration of his Term or Interest therein, he shall be entitled to Compensation for the Value of his unexpired Term or Interest in such Lands, and also Compensation for the Damage done to him as aforesaid, and the Amount of such Compensation

pensation shall be determined by Two Justices in case the Parties differ about the same.

On Refusal, High Bailiff to give Possession.

CXVII. And be it enacted, That if any such Person refuse to give up such Possession it shall be lawful for the Commissioners, after making Payment or Tender of such Compensation as hereinbefore mentioned, but not otherwise, to issue their Precept, under the Hands and Seals of any Three of the Commissioners, to the High Bailiff to deliver up Possession of such Lands to the Person in such Precept nominated to receive the same; and upon the Receipt of such Precept the High Bailiff shall deliver Possession of such Lands in obedience thereto; and the Party so refusing to give up Possession shall pay the Costs incurred in the issuing or Execution of such Precept, to be settled by the High Bailiff; and if, on Demand, he fail to pay the same they shall be levied by Distress, and the High Bailiff shall issue his Warrant accordingly.

Production of Leases.

CXVIII. And be it enacted, That if any Party claim Compensation in respect of any unexpired Term or Interest under any Lease or Grant of any such Lands, the Commissioners may require such Party to produce the Lease or Grant in respect of which such Claim shall be made, or the best Evidence thereof in his Power; and if after Demand made in Writing by the Commissioners such Lease or Grant, or the best Evidence thereof, be not produced within a reasonable Time, the Party so claiming Compensation shall be considered as a Tenant holding only from Year to Year, and be entitled to Compensation accordingly.

Compulsory Purchase limited to Five Years.

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

Power to clear the Land and sell old Materials.

CXX. And be it enacted, That the Commissioners may pull down any House and other Erection and Building which they shall purchase or take by virtue of this Act, and may level and clear the Land whereon the same shall stand, and all other the Land which they may purchase or take by virtue of this Act, in such Manner as they shall think proper, and may sell the Materials of the Houses and other Buildings so to be taken down and removed; and the Monies to be produced by the Sale thereof, after deducting the Expences of pulling down such Houses and Buildings respectively, and of such Sales, and also the Rents and Profits of the said Lands to be purchased or taken by virtue of this Act until the same shall be pulled down or cleared, shall be applied and disposed of towards the Purposes of this Act.

Commissioners to grant Building Leases of Ground not wanted

CXXI. And be it enacted, That in case any Lands which shall be purchased and cleared by virtue of this Act shall not be laid into and form Part of the said new Street, then it shall be lawful for the Commissioners, as soon as conveniently may be after the Houses and Buildings on any Land adjoining or abutting on such Street, or on any

any other Land which they shall think it expedient to let, shall be pulled down, by an Indenture or Indentures under the Hands and Seals of Three at least of the Commissioners, to demise and lease such Lands, or such Parts thereof as they shall think it expedient to let on Building Leases, either all together or in Parcels, to any Person who shall erect and build or covenant and agree to erect and build thereon, or on any Part thereof, Houses, Erections, and Buildings of such Rate or Class of building, and upon such Plan and Elevation, and of such Height and with such Stories as the said Commissioners shall think proper, for any Term or Number of Years, to determine at or before the Expiration of Ninety-nine Years from and after the passing of this Act, so as there be reserved in every such Demise or Lease such yearly Rent, to be incident to the immediate Reversion of the Premises therein comprised, the best yearly Rent which can be reasonably gotten for the same, and so that in every such Demise or Lease there be contained a Covenant for the Payment of the Rent thereby to be reserved, and such other Covenants on the Part of the Tenant or Lessee therein to be named, as the Commissioners shall reasonably advise or require, and also a Clause in the Nature of a Condition of Re-entry on Nonpayment of the Rent thereby to be reserved, or on Non-performance of the Covenants therein to be contained, on the Part of the Tenant or Lessee to be observed and performed; and that every such Tenant or Lessee shall give such good and sufficient Security for the erecting and completing of every such House, Erection, and Building which he shall covenant or agree to erect, within the Time in which he shall have contracted to finish the same, as the Commissioners shall order and direct.

which they may think proper to let.

CXXII. And be it enacted, That within the Space of Ten Years after the Houses, Erections, and Buildings to be erected and built as herein-before is mentioned, or any of them, shall be finished and completed, the Commissioners shall sell and dispose of the Ground Rents to be reserved by the Leases or Demises, in pursuance or in consideration of which the same Houses respectively shall have been erected and built, and also the Reversion and Inheritance in Fee Simple in Possession (subject to such Leases or Demises) of the Pieces or Parcels of Land therein demised, and such Houses and other Buildings thereon, either all together or in Parcels, by public Auction or private Contract, for such Price or Sum of Money as the Commissioners shall think reasonable; and the Commissioners shall, at the Request, Costs, and Charges of the Purchasers of the same Premises respectively, upon Payment of the Sum of Money agreed to be given for the same respectively to the Treasurer of the Commissioners for the Time being, convey and assure, under the Hands and Seals of Three at least of the Commissioners, the Pieces or Parcels of Land so purchased by such Purchasers respectively, together with the Houses, Erections, and Buildings then erected and built thereon respectively, and the Fee Simple and Inheritance thereof, with the Appurtenances, to such Purchasers respectively, their Heirs and Assigns respectively, or as they respectively shall in that Behalf order or direct, free from all Incumbrances (except the Building Leases to be granted thereof by virtue of this Act); and that all Conveyances and Leases which shall be made by the Commissioners

Commissioners to sell the Ground Rents and Reversions of the Houses.

sioners pursuant to the Authority hereby in them reposed shall be adjudged sufficient to vest such Estate in the Purchaser or Lessee as shall have been agreed for, or shall be expressed or meant and intended to be conveyed and granted by any such Conveyance or Lease.

Commissioners empowered to sell any Land which may not be wanted.

CXXIII. And be it enacted, That the Commissioners shall, within Ten Years after the passing of this Act, sell and dispose of, and by Indenture under the Hands and Seals of Three at least of them absolutely grant and convey, such Parts of the said Lands not adjoining to or abutting upon such Street, and such Part of the Lands adjoining to or abutting upon such Street as they shall not think proper to let on Building Leases, or any other Lands which they may have purchased under the Authority of this Act, which shall not be wanted for the Purposes of this Act.

The Commissioners to offer to sell Ground not required to the Persons from whom they shall have purchased.

CXXIV. And be it enacted, That the said Commissioners, before they shall sell and dispose of such Ground or Hereditaments as shall have been purchased or taken for the Purposes of this Act, or any Estate or Interest therein, shall first offer to resell the same to the Person from whom they shall have purchased the same, for such Estate or Interest as such Person had therein, and sold to the said Commissioners, if such Person shall be known or can be found, for a proportionate Price; and in case the said Commissioners and any such Person shall differ, and not agree as to the Price or Prices thereof, and such Person shall nevertheless signify his Desire to purchase the same, by a Notice in Writing, to be given or left at the Office of the said Commissioners within Fourteen Days after such Offer, at a Price to be adjusted and settled by a Jury, to be summoned as in Cases of Purchases made by the said Commissioners as herein mentioned, *mutatis mutandis*, such Notice shall be deemed an actual Contract for the Purchase of the said Premises as against the Party giving the same, at the Price which shall be adjusted and settled by such Jury; and in case such Person shall not be known and cannot be found, or shall not agree to repurchase such aforesaid Interest therein, or shall not give such Notice of his Intention of purchasing the same, within Fourteen Days after such Offer, or in case the Owner of the Premises purchased was not found or known at the Time that the same were taken for the Purposes of this Act, then and in every such Case an Affidavit being made and sworn before a Master or a Master Extraordinary in the High Court of Chancery, or before One of Her Majesty's Justices of the Peace, by some competent Person, stating that such Person was not known and could not be found, or that such Offer was made by or on behalf of the said Commissioners, and was not then and thereupon agreed to by the Person to whom the same was so made, and that such Notice as aforesaid was given, or that the Owner thereof was unknown when the same Premises were purchased (as the Case may be), shall in all Courts be sufficient Evidence and Proof that such Person was not known or could not be found, or that such Offer was made and not agreed to by the Person to whom it was made, and that such Notice as aforesaid was not given, or that the Owner was unknown when the Premises were purchased (as the Case may be).

CXXV. And

Lands and Ground Rents not so sold to vest in Owners of adjoining Lands.

CXXV. And be it enacted, That if the Commissioners do not sell such superfluous Lands and Ground Rents reserved by the said Demises and Leases within the respective Periods aforesaid, then such Lands or Ground Rents (as the Case may be) remaining unsold at the Expiration of such respective Periods shall thereupon vest in and become the Property of the Owners of the Lands adjoining thereto, in proportion to the Extent of their Lands respectively adjoining the same.

Receipts of the Treasurer to be effectual Discharges.

CXXVI. And be it enacted, That the Receipt of the Treasurer of the Commissioners for any Purchase Money, Rents, or Profits, or other Sum of Money payable unto them by virtue of this Act, shall be a sufficient and effectual Discharge for the Money in such Receipt expressed or acknowledged to have been received; and the Purchaser to whom the same respectively shall be given shall not afterwards be answerable or accountable for the Misapplication or Nonapplication of the Money in such Receipt expressed or acknowledged to have been received.

Effect of the Word "grant" in Conveyances.

CXXVII. And be it enacted, That in every Conveyance of Lands to be made by the Commissioners under this Act the Word "grant" shall operate as express Covenants by the Commissioners, for themselves and their Successors, with the respective Grantees therein named, and the Successors, Heirs, Executors, Administrators, and Assigns of such Grantees, according to the Quality or Nature of such Grants, and of the Estate or Interest therein expressed to be thereby conveyed, as follows, except so far as the same shall be restrained or limited by express Words contained in any such Conveyance; (that is to say,)

A Covenant that, notwithstanding any Act or Default done by the Commissioners, they were at the Time of the Execution of such Conveyance seised or possessed of the Lands or Premises thereby granted for an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances done or occasioned by them, or otherwise, for such Estate or Interest as therein expressed to be thereby granted free from Incumbrances, done or occasioned by them:

A Covenant that the Grantee of such Lands, his Heirs, Successors, Executors, Administrators, and Assigns, (as the Case may be,) shall quietly enjoy the same against the Commissioners and their Successors, and all other Persons claiming under them, and be indemnified and saved harmless by the Commissioners and their Successors from all Incumbrances created by the Commissioners:

A Covenant for further Assurance of such Lands, at the Expence of such Grantee, his Heirs, Successors, Executors, Administrators, or Assigns, (as the Case may be,) by the Commissioners or their Successors, and all other Persons claiming under them:

And all such Grantees, and their several Successors, Heirs, Executors, Administrators, and Assigns respectively, according to their respective Quality or Nature, and the Estate or Interest in such Conveyance expressed to be conveyed, may in all Actions brought by them assign

Breaches

Breaches of Covenants, as they might do if such Covenants were expressly inserted in such Conveyances.

Purchase Monies and Rents to be applied to any of the Purposes of this Act.

CXXVIII. And be it enacted, That every Sum of Money which shall be received by the Commissioners from any Sales herein-before directed to be made, and also the Rents (if any) which shall be received from all the said Pieces or Parcels of Land, or of any of them, until the same shall be sold, shall (after Payment of the Costs and Expences of the said Sales, which are hereby directed to be paid thereout,) be applied in or towards Satisfaction of the Monies to be raised by virtue of this Act, or any other of the Purposes of this Act.

No House, &c. to be taken without Consent, unless mentioned in the Schedule.

CXXIX. And be it enacted, That no House, Building, Land, or other Property shall be taken or made use of for the Purposes of this Act, except such as are mentioned in the Schedule (D.) hereunto annexed, without the Consent in Writing of the Owner thereof being first had and obtained for that Purpose.

Premises may be taken, notwithstanding Errors in the Schedule.

CXXX. Provided nevertheless, and be it enacted, That it shall be lawful for the Commissioners to purchase, take down, and use for the Purposes of this Act, any of the Houses, Buildings, and other Hereditaments described in the said Schedule as intended to be taken for the Purposes of this Act, although the same Houses, Buildings, and other Hereditaments, or the Names of the Owners, Lessees, or Occupiers thereof respectively may happen to be erroneously stated or omitted in the said Schedule, in case it shall appear to any Two or more Justices, and be certified under their Hands, that such Error or Omission proceeded from Mistake or erroneous Information.

Power to make the Street.

CXXXI. And be it enacted, That it shall be lawful for the said Commissioners to form a Street, not less than the Width of Sixty Feet, in continuation of the new *Dover Road* from *Blackman Street* to the said *Southwark Bridge Road* aforesaid.

Footways and Carriageways to be laid out.

CXXXII. And be it enacted, That it shall be lawful for the Commissioners to cause such Part of the intended Street to be laid out for a Carriageway, and such Parts for Foot Passengers, as they shall think proper, such Footways not being less than Six Feet wide.

Power to alter and stop up Streets and Ways.

CXXXIII. And be it enacted, That it shall be lawful for the Commissioners, with the Consent of Two Justices of the Peace, subject nevertheless to the Power of Appeal herein-after mentioned, to divert, stop up, or inclose such Streets, Courts, Alleys, Ways, or Passages, and void Ground, or such Parts thereof as shall be necessary; and the Ground and Soil of such Streets, Courts, Alleys, Ways, Passages, and void Ground or Parts thereof respectively, and the Fee Simple and Inheritance thereof, shall be and are hereby vested in the Commissioners and their Successors for the Purposes of this Act: Provided always, that no such Streets, or any Part thereof, shall be altered, diverted, stopped up, or inclosed, until Seven Days Notice

shall have been given of such Alteration, Diversion, stopping up, or inclosing to the Commissioners or Surveyors of Highways for paving and improving the District within which such Streets shall be situate.

Commissioners of paving and Surveyors of Highways may appeal.

CXXXIV. Provided always, and be it enacted, That in case the said last-named Commissioners or Surveyors of Highways shall think themselves aggrieved by such last-mentioned Alteration, Diversion, stopping up, or inclosing, it shall be lawful for them to appeal against the same to the next General Quarter Sessions or General Sessions of the Peace to be holden for the Borough of *Southwark*, such last-mentioned Commissioners or Surveyors giving or causing to be given to the Commissioners for putting this Act into execution Notice in Writing of their Intention to appeal against the same Twenty-one Days before such General Quarter Sessions or General Sessions of the Peace; and the Justices at such General Quarter Sessions or General Sessions of the Peace shall, upon Proof of such Notice of Appeal, hear and determine the same, and make such Order therein, and also such Order concerning the Costs of such Appeal, as they shall deem advisable; and such Orders shall be final, binding, and conclusive, and shall not be quashed or vacated for Want of Form only, or be removed or removeable to any Superior Court by any Writ of Certiorari or other Proceeding, any Law, Statute, or Usage to the contrary notwithstanding.

Directing how the Pavements shall be laid out.

CXXXV. Provided also, and be it enacted, That the Commissioners shall, in a substantial and workmanlike Manner, pave, macadamize, or otherwise completely finish the said new Street, and fill in all the Vaults, Cellars, and open Places over which it may be necessary for the Purposes aforesaid, or any of them, to new pave (except such as may be used again as Cellars, Vaults, or Areas, with good, sound, hard Brick Rubbish, to be well rammed down, to prevent the Ground from giving way, and shall effectually pave over all the said Ground and the said Streets so altered or otherwise interfered with by them with a sufficient Quantity of Materials of proper Quality and Dimensions, and shall in like Manner build any Arches which they may think necessary, and also relay and repair every Part of the Streets which they shall disturb or alter in carrying this Act into execution; provided that nothing herein contained shall charge the Commissioners, or the Monies to be raised for the Purposes of this Act, with the repairing or making good such Pavement or Arches in future.

Power to stop up Ways during the Execution of the Act.

CXXXVI. And be it enacted, That it shall be lawful for the Commissioners during the making of the Street, with the Consent of Two of Her Majesty's Justices of the Peace, subject nevertheless to the Power of Appeal herein-after mentioned, to stop up or cause to be stopped up all or any Part of the Carriage or Foot Ways of the Streets and other Places, and for that Purpose to put up or cause to be put up sufficient Pallisadoes, Bars, Posts, and other Erections, and to make such Orders for regulating the Passage of all Carts, Carriages, and Horses as to them shall seem proper; but all such

Stoppages and Obstructions shall be discontinued and removed on the Formation of the said Street; and the Commissioners shall make good all Damage done to the Pavements of such Streets and Places by such Stoppages and Obstructions.

Streets may be raised or lowered.

CXXXVII. And be it enacted, That it shall be lawful for the Commissioners to cause to be raised or lowered the Ground of any Streets and Ways communicating with the Street to be made as aforesaid, or any Part thereof respectively, making Compensation to the Owners of Houses injured by such Alterations; and in the event of any Difference arising therein, the same shall be ascertained and settled by a Jury, in manner herein-before mentioned: Provided nevertheless, that all such Streets shall be raised or lowered by the Commissioners to the Satisfaction of the Commissioners for paving and improving, and the Surveyors of the Highways for the District within which such Streets shall be situate; and the Commissioners for executing this Act shall make good any Damage which may be done to the said Streets, or the Pavement thereof, by reason or in consequence of the same being raised or lowered as aforesaid.

Sewers or Drains to be arched over or filled up.

CXXXVIII. And be it enacted, That it shall be lawful for the Commissioners, out of the Monies to be applied for the Purposes of this Act, to cause to be arched over or filled up all such Sewers and Drains, or Part thereof, which shall lie and be in or near the said Streets or Ways to be made, altered, diverted, or stopped up or inclosed as aforesaid respectively, as shall appear necessary for completing the Purposes of this Act, so as that no public Sewer or Drain whatsoever, or any private Drain, shall be in anywise disturbed, injured, or prejudiced without any Sewer or Drain being made in lieu thereof, equally serviceable and convenient to the Individual or Neighbourhood: Provided always, that at the Time of filling up any Sewer or Drain, or Part thereof as aforesaid, the Commissioners shall cause to be made and built other good and sufficient Sewers and Drains, to be approved by the Commissioners of Sewers acting in and for the Limits extending from *East Moulsey* in the County of *Surrey* to *Ravensbourne* in the County of *Kent*, of the same or greater Size or Capacity, and upon the same or lower Levels, than the Sewers or Drains which shall be filled up; and when made and completed the said respective Sewers and Drains shall be under the Jurisdiction, Care, Management, and Direction of such Commissioners of Sewers.

Streets and Arches to be kept in repair by Parishes.

CXXXIX. And be it enacted, That after any Street or Arch shall be so paved, relaid, and repaired as aforesaid, the same shall for ever after be kept in repair by and at the Expence of the respective District or Parishes to which the same shall respectively belong, or of the Commissioners, Surveyors of Highways, or Persons liable to repair the same; and that the Property of all Pavements, Arches, Stones, and Bricks so to be laid as aforesaid shall belong to and be the Property of the said respective Districts or Parishes, or Commissioners, Surveyors, or Persons, in the same Manner as Things of a like Description in other Parts of the said Districts or Parishes respectively are now vested by Law.

CXL. And

Works to be done to the Satisfaction of Street Commissioners.

CXL. And be it enacted, That all the Works herein provided to be done to any Street shall be done by the Commissioners for executing this Act to the Satisfaction of the Commissioners or Surveyors of Highways for paving and improving the District within which the same shall be situate.

Power to alter Steps, Areas, Pipes, &c.

CXLI. And be it enacted, That it shall be lawful for the said Commissioners for executing this Act, out of the Monies to be applied for the Purposes of this Act, to raise, sink, or otherwise alter, or cause to be altered, the Position of any Steps, Areas, Cellars, Windows, and Watercourses, Pipes, or Spouts, belonging to any House or Houses, and also the Mains, and the Leaden or other Pipes which, for the Purpose of conveying Water or Gas to any House or other Place, shall be laid into or from any Main or Pipe laid down by any of the Companies or Societies who furnish the Inhabitants with Water or Gas, in such Manner as shall be consistent with the Acts of Parliament incorporating such Companies or Societies (if any), and to remove all other Obstructions, so as the same respectively be done with as little Detriment and Inconvenience to the said Companies, Societies, and Inhabitants as the Circumstances of the Case will admit.

Ground laid into the Street to form a Part thereof.

CXLII. And be it enacted, That when the said Street shall be made in pursuance of this Act, all the Ground, Land, and Hereditaments which shall be laid open into the Street, and paved as aforesaid, shall form Part of the said Street, and shall be used by the Public accordingly.

Provision for Deficiencies in Land Tax.

CXLIII. And for the Purpose of providing against Deficiencies in the Assessments for Land Tax occasioned by the making of the Street in the Parish where the same may be situate, be it enacted, That if the Commissioners become possessed, by virtue of this Act, of any Premises charged with the Land Tax, the Commissioners shall, from Time to Time, until the Works hereby authorized shall be completed and assessed to such Land Tax, be liable to make good the Deficiency arising within such Parish by reason of the Land having been taken or used for the Purposes of the Works, and such Deficiency shall be computed according to the Rental at which such Lands, with any Buildings thereon, were valued or rated at the Time of the passing of this Act; and the Treasurer of the Commissioners shall pay all Deficiencies, on Demand thereof, to the Collector of the said Assessments; nevertheless, if at any Time the Commissioners think fit to redeem such Land Tax, they may do so in accordance with the Powers in that Behalf given by the Acts for the Redemption of the Land Tax.

Compensation for Deficiency in Paving Rates.

CXLIV. And whereas by reason of pulling down Houses and Buildings, in pursuance of this Act, there may be Deficiencies in the Produce of the Paving, Cleansing, and Lighting Rates within the said Parish of *Saint George the Martyr*; be it therefore enacted, That after the Occupier or Occupiers of any of the Houses and Buildings in the said Parish to be taken down for the Purposes of this Act shall have quitted the Possession thereof, in pursuance of any Notice or Notices

to

to be left at or affixed upon the same Premises as aforesaid, and until the whole of the said Houses and Buildings intended to be built upon the Ground fronting the Street so to be made as aforesaid shall be completed and occupied, the said Commissioners shall, out of the Monies to be applied for the Purposes of this Act, pay and make good all such Sum and Sums of Money as shall from Time to Time be deficient in respect of the Produce of the Assessments for the Paving, Cleansing, and Lighting Rates within such Parish by reason or means of the Alterations, arising from the Want of Occupiers in or taking down the said several Houses and Buildings respectively, to be computed according to the Produce of such several Rates and Assessments, or as near as the Nature of such Case will admit, in the said Parish, from the Twenty-fifth Day of *March* One thousand eight hundred and forty one to the Twenty-fifth Day of *March* One thousand eight hundred and forty-two, and the same shall be accordingly paid to the several Collectors of the said Rates; and such Sum and Sums of Money to be paid and made good as aforesaid shall vary or diminish in proportion to the Value of the Houses and Buildings which from Time to Time shall be erected and occupied.

Commissioners to pay the Amount of present Poor Rates to the Overseers of the Parish.

CXLV. And whereas the Lands, Tenements, and Hereditaments at this present Time standing on Part of the Line of the said new Street are inhabited for the most part by indigent Persons, who are a great Incumbrance upon the Remainder of the Inhabitants of the said Parish of *Saint George the Martyr*, and a very small Sum is now paid towards the Rates for the Relief of the Poor in respect of such Lands, Tenements, and Hereditaments: And whereas the opening the said Street will not only relieve the said Parish from the Support of many Paupers, but will also materially increase the Rates, by substituting Houses of a superior Description, and generally improve the Neighbourhood, by opening the Line for a great Thoroughfare to the North and West of *London*: And whereas it is reasonable that a Portion of the Expence of opening the said new Street should be defrayed out of the increased Funds which, upon such Improvement, would arise to the District and Parish aforesaid; be it therefore enacted, That the present rateable Value of the Property in the said Parish which shall be taken by virtue of this Act shall be ascertained and settled by the said Commissioners, and the Amount so ascertained shall be certified by Two or more Justices of the Peace, and such present rateable Value shall be ascertained upon Consideration of the Rates made for the Year One thousand eight hundred and forty-one; and every Overseer or other Parish Officer shall be bound, upon Demand, to produce the Rate Books or other Books or Papers necessary to enable the said Commissioners or Justices to ascertain the said rateable Value, or the Amount to be paid to the said Commissioners, out of any Rate made for the Relief of the Poor.

Providing for Deficiency in Poor Rate.

CXLVI. And for the Purpose of providing against Deficiencies in the Poor's Rate, to be occasioned by the making of the said Street in the said Parish of *Saint George the Martyr*, be it enacted, That the Commissioners shall from Time to Time, until the rateable Value of the Houses and Tenements erected or continued on the Line of the said

said Street and assessed to such Poor's Rate exceed the present rateable Value so ascertained and certified as aforesaid, be liable to make good the Deficiency arising within such Parish by reason of the Land and Hereditaments having been taken or used for the Purposes of this Act, and the Treasurer of the Commissioners shall pay all Deficiencies, on Demand thereof, to the Collectors of the said Rates.

If a larger Rate be collected in consequence of the increased rateable Value, the Excess to be paid to the Commissioners.

CXLVII. And be it enacted, That the Overseers of the Poor in the said Parish of *Saint George the Martyr* shall assess and collect the Poor's Rate upon the full rateable Value of the Houses and Tenements in the said Street, in the same Manner as upon other Houses and Tenements in the said Parish; and after retaining for the Purposes of the Poor's Rate the Amount levied upon the rateable Value so ascertained as aforesaid, the said Overseers shall pay over the Difference between such last-mentioned Amount and the full Amount of the Rate, subject to the Expence of Collection, to the said Commissioners.

Application of Rate.

CXLVIII. And be it enacted, That the Money to arise and be received from the said Rates by the Commissioners for executing this Act shall be applied by the said Commissioners in defraying the Principal and Interest due on any Sum of Money borrowed under or by virtue of this Act; and when and so soon as the Principal and Interest of all Monies due and all Expences incurred in pursuance of this Act shall have been paid off, not in any event exceeding the Term of Thirty Years, the Powers given to the said Commissioners to receive Contribution towards the Expences of executing this Act from the Poor Rates of the said Parish shall cease and determine to all Intents and Purposes whatsoever.

Surplus to be paid to the Parish.

CXLIX. And whereas it may happen that after Payment of the Principal and Interest of all Monies due, and all Expences incurred in pursuance of this Act, a Surplus may remain unappropriated in the Hands of the said Commissioners: And whereas it is reasonable the said Surplus should be appropriated to the Use and Benefit of the said Parish; be it therefore enacted, That the said Commissioners shall, within a reasonable Time after the Principal and Interest of all Monies due, and all Expences incurred in pursuance of this Act, shall have been paid off, pay to the Overseers of the Poor for the Time being of the said Parish, in aid of the Rates for the Relief of the Poor in such Parish, any Monies which may then remain in their Hands or the Hands of the Treasurer, to be appointed as aforesaid, and from and after such Payment all the Powers and Authorities vested in the said Commissioners shall absolutely cease and determine.

Empowering Commissioners to give Security to Lords of Treasury for Completion of Street.

CL. And be it enacted, That in the event of any Sum of Money granted or to be granted by Parliament for the Improvements in the Thoroughfares of the Metropolis being appropriated towards the Formation of the new Street by this Act authorized to be made, it shall be lawful for the Commissioners acting under and by virtue of this Act to receive such Money, and apply the same towards the Purposes

Purposes of this Act; and the said Commissioners shall, upon the Payment of such Money, give or provide, if required, to the Lords Commissioners of Her Majesty's Treasury, such Security or Assurance that the said Street will be completed of the Width and in the Manner by this Act authorized as the said Lords Commissioners, or any Three of them, shall think desirable: Provided always, that in case any Security or Assurance shall be required as aforesaid, it shall be lawful for the said Commissioners and they are hereby empowered to enter into such Security or Assurance, as also any Contract or Agreement with any Person or Persons willing to give the same, upon such Terms or Conditions with respect to the leasing, purchasing, or selling the Whole or any Part of the Land authorized to be taken by virtue of this Act as they may think desirable.

Damages to be ascertained, with Penalty.

CLI. And be it enacted, That where any Damages or Charges are directed by this Act to be paid in addition to any Penalty for any Offence, the Amount of such Damages or Charges, in case of Non-payment thereof, or of any Dispute concerning the same, shall be determined by the Justices before whom the Offender shall be convicted of such Offence, and shall be levied by Distress, and such Justices shall issue their Warrant accordingly.

Provision for Damages not otherwise provided for.

CLII. And for the Purpose of providing for the Recovery of any Compensation for any Land or for any Injury to any Land or other Property, or Person, or for any Expences, Charges, or Damages which shall be payable under this Act, and for the Recovery of which no Method is herein provided, be it enacted, That in all such Cases the Amount of the Compensation, Charges, or Damages by this Act directed or authorized to be paid shall, in case of Nonpayment thereof, or of any Dispute about the same, be ascertained and determined by Two or more Justices, and the same shall be levied by Distress, and the Justice or Justices shall issue a Warrant accordingly.

Distress against Commissioners.

CLIII. And with respect to any Sum of Money under the Provisions of this Act adjudged by any Justice to be paid by the Commissioners, for which no other Mode of Proceeding is provided by this Act, be it enacted, That if such Money be not paid by the Commissioners to the Party entitled to receive the same, within Twenty-one Days after Demand thereof in Writing, stating the Order of the Justice for the Payment of such Money, the Amount may be recovered by Distress on any Goods vested in the Commissioners by virtue of their Office, and the Justice by whom such Sum of Money shall have been ordered to be paid, or any other Justice, on Application, shall issue his Warrant accordingly; and if sufficient Goods or Effects of the Commissioners cannot be found whereon to levy such Sum of Money, the same may be recovered by Distress of the Goods of the Treasurer of the Commissioners, and the Justice aforesaid, or any other Justice, on Application, shall issue his Warrant accordingly; but no such Distress shall issue against the Goods of such Treasurer unless Seven Days previous Notice in Writing, stating the Amount so due, and demanding Payment thereof, have been given to such Treasurer or left at his Residence.

Distress against the Treasurer.

CLIV. And

Reimbursement of the Treasurer.

CLIV. And be it enacted, That if such Treasurer pay any Money under any such Distress as aforesaid he may retain the Amount so paid by him, and all Costs and Expences occasioned thereby, out of any Money belonging to the Commissioners coming into his Custody or Control, or he may sue for the same against the Commissioners by Process of Law.

Parties may appeal to Quarter Sessions on giving Security.

CLV. And be it enacted, That if any Person shall think himself aggrieved by any Determination or Adjudication of any Justice under the Provisions of this Act he may appeal to the General Quarter Sessions for the said Borough or County; but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Determination or Adjudication, and unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, and unless the Appellant forthwith after such Notice enter into Recognizances, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the order of the Court thereon.

Court to make such Order as they think reasonable.

Costs.

CLVI. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the Hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable; and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

Not to affect Jurisdiction of the City of London.

CLVII. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to alter, diminish, or in any Manner to affect any of the Rights, Privileges, Jurisdictions, Powers, and Authorities of the Mayor and Commonalty and Citizens of the City of *London* within the said Town and Borough of *Southwark*, but that the same shall be and remain in as full Force and Effect as if this Act had not passed, any thing herein contained to the contrary thereof in anywise notwithstanding.

Saving the Rights of Paving Commissioners in Southwark and the Liberty of the Clink. 6 G. 3. c. 24. 11 G. 3. c. 17.

CLVIII. And be it enacted, That nothing herein contained shall alter or in any Manner interfere with the Powers, Provisions, Matters, and Things contained in an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for paving the Streets and Lanes within the Town and Borough of* Southwark, *and certain Parts adjacent, in the County of* Surrey; *and for cleansing, lighting, and watching the same, and also the Courts, Yards, Alleys, and Passages adjoining thereto; and for preventing Annoyances therein*, or by an Act passed in the Eleventh Year of the Reign of His said Majesty, intituled *An Act to explain and*

and amend so much of an Act of the Sixth Year of His present Majesty, for paving the Town and Borough of Southwark *in the County of* Surrey, *as relates to the Commissioners of Sewers; and for regulating the Manner of taxing Churches and other public Buildings within the Limits of the said Act,* or in an Act passed in the Forty-fourth Year of the Reign of His said Majesty, intituled
44 G. 3. c. 86. *An Act for altering and amending an Act passed in the Sixth Year of His present Majesty, for paving the Streets and Lanes within the Borough of* Southwark, *and certain Parts adjacent, in the County of* Surrey, *and for cleansing, lighting, and watching the same, and also the Courts, Yards, Alleys, and Passages adjoining thereto, and for preventing Annoyances therein, so far as the same relates to the West Division thereof, as therein mentioned,* or in an Act passed in the Fifty-second Year of the Reign of His said
52 G. 3. c. 14. Majesty, intituled *An Act for better paving, cleansing, lighting, and watching the Streets, Lanes, and other public Passages and Places within the Manor of* Southwark, *otherwise called* "The Clink *or* Bishop of Winchester's Liberty," *in the Parish of* Saint Saviour Southwark, *in the County of* Surrey.

Saving of Metropolitan Paving Act. 57 G. 3. c. 29.

CLIX. And be it enacted, That nothing herein contained shall alter or in any Manner interfere with the Powers, Provisions, Matters, and Things contained in an Act passed in the Fifty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for better paving, improving, and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein.*

Saving the Rights of the Commissioners of Sewers.

CLX. And be it enacted, That nothing in this Act contained shall extend to prejudice, alter, or take away any of the Rights, Powers, or Authorities vested in the respective Commissioners of Sewers for the Limits extending from *East Moulsey* in the County of *Surrey* to *Ravensbourne* in the County of *Kent.*

Interpretation of Act.

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

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender only shall include Females:

The Word "Month" shall mean Calendar Month:

The Word "Person" shall include Corporation, whether Aggregate or Sole:

The Word "Oath" shall include Affirmation in case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in case of any other Persons exempted by Law from the Necessity of taking an Oath:

The Word "Justice" shall mean Justice of the Peace acting within the Limits of this Act:

The

The Word "Street" shall include any Square, Street, Court, or Alley, Highway, Lane, Road, Thoroughfare, or public Passage or Place:

The Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure:

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

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

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Form of Mortgage Deed.

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

SCHEDULE (B.)

Form of Transfer of Mortgage.

I *A.B.* of in consideration of the Sum of paid to me by *C.D.* of do hereby transfer to the said *C.D.*, his Executors, Administrators, and Assigns, a certain Mortgage, Number made by the Commissioners for executing the [*Title of the Act*], to bearing Date the Day of for securing the Sum of and Interest [*or, if such Transfer be by Endorsement*, the within Security], and

and all my Right, Estate, and Interest in and to the Money thereby secured, and in and to the Rates and Assessments, Rents, Money, and Property thereby assigned. In witness whereof I have hereunto set my Hand and Seal, this Day of One thousand eight hundred and

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SCHEDULE (C.)

Form of Conveyance.

I of in consideration of the Sum of paid to me [*or, as the Case may be,*] into the Bank of England, in the Name and with the Privity of the Accountant General of the Court of Chancery, ex parte the Southwark Improvement Commissioners, [*or* to *A. B.* of and *C. D.* of Two Trustees appointed to receive the same], pursuant to an Act passed, *&c.*, intituled, *&c.*, by the said Commissioners, do hereby convey to the said Commissioners, their Successors and Assigns, all [*describing the Premises to be conveyed*], together with all Ways, Rights, and Appurtenances thereto belonging, and all such Estate, Right, Title, and Interest in and to the same as I am or shall become seised or possessed of, or am by the said Act empowered to convey, to hold the Premises to the said Commissioners, their Successors and Assigns, according to the true Intent and Meaning of the said Act. In witness whereof I have hereunto set my Hand and Seal, the Day of in the Year of our Lord

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SCHEDULE (D.)

Of Property to be taken.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
PARISH OF SAINT GEORGE THE MARTYR, SOUTHWARK.			
Blackman Street, West Side.			
House, Shop, and Warehouse.	The Corporation of London and Jane Forster.	John Tarplee, John Askew, William Bourne, and John Chatfield.	John Tarplee.
Branch Post Office - -	The Corporation of London.	Her Majesty's Postmaster General.	Her Majesty's Postmaster General or his Deputies.
House, Shop, and Warehouse.	The same, and Jane Forster.	John Askew, William Bourne, John Chatfield.	William Bourne and John Chatfield.
House, Shop, and Warehouse.	The same - -	John Askew -	John Askew.
House, Shop, and Yard -	The Corporation of London.	- - -	William Finnis.
Public House and Yard -	The Corporation of London and Joseph Sterry.	George Harden -	George Harden.
Mint Street, South Side.			
Part of House and Shop -	John Vernell - -	John Askew -	John Askew.
House, Shop, and Slaughterhouse.	- - -	- - -	Michael Bristow.
House and Shop - -	William Stobart - -	- - -	Stephen Blackburn.
House and Shop - -	Henry Aldwin Soames -	William Fisher, Thomas Stevenson.	William Tulley.
Two Houses and Shops -	The same - -	- - -	Elizabeth Acton, Alexander Jones.
House and Shop - -	George Hinde - -	- - -	Benjamin Blake.
Five Houses and Shops -	James Crow - -	- - -	Thomas Tuesman, James Berry, Richard Blizard, Charles Fox and others, Lewis Rossiter, John West.
Wallis's Alley.			
Four Houses and Yards -	Richard Woolcock and Wife.	Margaret Davis -	Mary Cronin, William Brown, Thomas Kennard, William Alexander.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Vine Yard, North Side.		
Four Houses, Yards, Cow-houses, and Stable.	Richard Woolcock and Wife.	Margaret Davis -	Margaret Davis, William Hicks, Daniel M'Carthy, John Hunt, Philip Cohen.
	High Street, West Side.		
House, Shop, Warehouse, and Yard.	Joseph Sterry - -	- - -	Joseph Sterry, Joseph Sterry jun., and Henry Sterry.
	Mint Street, North Side.		
Five Houses and Shops -	Joseph Sterry - -	- - -	Henry Philips, Sarah Philips, Thomas Welling, William Seaward, and One empty.
Passage, formerly Dun Horse Alley.	Commissioners of Pavements.		
Warehouse, Cart-house, and Cooperage.	Henry Pigeon and Alfred Staines Pigeon.	- - -	Henry Pigeon and Alfred Staines Pigeon.
Four Houses and Shops -	Henry Aldwin Soames -	- - -	Timothy Dinney, One empty, James Hindman, James Brissenden.
Public House, the King's Arms.	The same - -	Messrs. Gardner, John Bush.	George Hollingdale.
Four Houses, Shops, and Smithy.	The same - -	- - -	Patrick James Flin, Thomas George Belcher, John Lane, or Mrs. Alexander, Thomas Wild.
Public House, the Duke's Head.	James Jefferys - -	Edward Foley -	Edward Foley.
Two Houses, Shop, Yard, and Shed.	Thomas Fish - -	James Miller -	David Sandell, Susanna Lloyd.
Three Houses, Shops, and Yard.	Elizabeth Angell, Henry Bacon, Nicholas White.	Thomas Griffiths, Hannah Wear.	James Dale, Hannah Wear.
House and Shop - -	George Holmes - -	- - -	John Lennard.
House and Shop - -	H. Bryan, Hannah Bryan.	- - -	Henry Hudson.
House and Shop - -	William Bastow - -	Elizabeth Whale -	John Parlett.
Three Houses and Shops -	Moses Savery, Thomas Radford, Ann Radford.	- - -	Mary Smith, Jeremiah Kidney and Under-tenants, Joseph Steel and Under-tenants.
Public House, the Union -	Joseph Hanson and Mrs. Hanson.	Joseph Steel -	Joseph Steel.
Two Houses and Shop -	William Bastow -	- - -	John Willis, Henry Southgate.
	Harrow Street, East Side.		
Four Houses and Shed -	William Griffith -	- - -	Maria Ward, Daniel Neal, Richard Hall, James Sissons.
A Passage - -	The Commissioners of Pavements.		

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Harrow Street, West Side.			
House - - -	Thomas Fish - -	James Miller -	John Donahoo and others.
Four Houses - -	William Griffith -	- - -	Elizabeth Mayo, Thomas White, John Daler, Andrew Skuse.
Bird-cage Alley, South Side.			
Four Houses - -	George Heath - -	- - -	Alexander Bray, Benjamin Hawkins, John Lennard, John Williams, and their Under-tenants.
Stable - - -	William Griffith - -	- - -	Empty.
Warehouse - -	John Griffith - -	—— Izod - -	John Askew.
Bird-cage Alley, North Side.			
Two Houses, Fore-courts, and Yard.	Henry Barnes - -	- - -	Everett Carlton, John Kirby.
Warehouse and Part of Yard.	William Griffith -	Thomas Willis Fry -	Thomas Willis Fry.
Warehouse, Two Houses, Stables, and Yard.	C. G. Parker - -	Joseph Hanson and Mrs. Hanson.	Nicholas White, John M'Kellar, Guardians of St. George's Parish, John Larken.
Mary Ann Place.			
Three Houses - -	William Griffith - -	- - -	James Davison, empty, George Fuller.
Price's Court.			
House and Yard, and Smith's Shop.	C. G. Parker - -	Joseph Hanson and Mrs. Hanson.	John Dixon, John Taylor.
Red Cross Street, East Side.			
Two Houses and Shops -	Elizabeth Angell, Henry Bacon, and Nicholas White.	- - -	Elizabeth Angell, Robert Sherwood, Ann Lamb.
Three Houses and Shops, and Warehouses.	John Griffith - -	Executors of Thomas Izod, of Part.	Henry Buckingham; William Bavin, John Robertson.
Four Houses and Shops -	C. G. Parker - -	Joseph Hanson and Mrs. Hanson.	John Larken, Daniel Lewis, Charles Chamberlain, Robert Houghton, Benjamin Hayles.
Red Cross Street, West Side.			
Two Houses, Shops, and Shed, and Warehouse.	The Rev^d John Bullock, the Rev^d Christopher George Watson, Elizabeth Lant Watson, and Charles Bullock.	- - -	James Holton, John Farthing.

Description of Property.	Owners or reputed Owners,	Lessees or reputed Lessees.	Occupiers.
House, Shop, and Warehouse.	The Rev^{d} John Bullock, the Rev^{d} Christopher George Watson, Elizabeth Lant Watson, and Charles Bullock.	James Warne -	James Warne.
Two Houses and Shops -	The same - -	Nicholas White -	John Taylor, William Williams.
Two Houses and Shops -	The same - -	Thomas Griffith, James M. Rossiter, Joseph Quick, Charles Fido.	Thomas Gudgeon, Charles Fido.
Two Houses and Shops -	The same - -	Thomas Griffith, James M. Rossiter, Joseph Quick.	Thomas Fido, Joseph Smith.
	Duke Street, East Side.		
House or Warehouse -	H. Bryan and Hannah Bryan.	- - -	Henry Hudson.
Three Houses - -	George Holmes - -	- - -	Henry Maw, Antnony Hird, David Reardon.
Two Houses - -	Mary Ann Soames -	Mr. White - -	William Hutchins, James Lawrence, and others,
Stable and House - -	The same - -	Moses Savory, Thomas Radford, Ann Radford.	David Reardon, Ann Johnson.
Three Houses - -	Moses Savory, Thomas Radford, and Ann Radford.	Thomas Griffith, James M. Rossiter, Joseph Quick.	William Hardwick, Richard Tacklin, Thomas Woodhouse.
	Duke Street, West Side.		
Two Houses and Shops, Passage, Yard, aud Shed.	George Holmes -	- - -	Mary Hewett, James Downes, Robert Hicks.
Three Houses, Yards, and Sheds.	The Rev^{d} John Bullock, the Rev^{d} Christopher George Watson, Elizabeth Lant Watson, and Charles Bullock.	Thomas Griffith, Hugh Bowditch.	One empty, John Farrell, Thomas Sparrowhawk, Robert Redford.
Vacant Ground - -	The same.		
	Mint Square or Suffolk Square.		
Five Houses and Shops -	The Rev^{d} John Bullock, the Rev^{d} Christopher George Watson, Elizabeth Lant Watson, and Charles Bullock.	Charles Ellis, Martha Careless, Thomas Griffith, Hugh Bowditch, Sir Henry Meux and others, J. and W. Griffith.	John Meakens, George Gee and Under-tenants, Henry Page, William Hedges.
House and Shop - -	James Charles Beard and Wife.	- - -	Empty.
Two Houses and Shops -	George Holmes - -	- - -	David Bedford, William Bradshaw.
Three Houses and Shops -	The Rev^{d} John Bullock, the Rev^{d} Christopher George Watson, Elizabeth Lant Watson, and Charles Bullock.	Thomas Griffith, James M. Rossiter, Joseph Quick.	James Price, Joseph Edwards, Sarah Huxford, Joseph Fry, and Under-tenants.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Queen Street, South Side.		
Six Houses and Shops, Yards, and Sheds.	George Holmes - -	- - -	George Thomas, William Redburn, Joseph Springett, William Summers, George Kirkland, and Under-tenants, Robert Hicks, Richard Nurthen.
House and Shop - -	The Rev^{d} John Bullock, the Rev^{d} Christopher George Watson, Elizabeth Lant Watson, and Charles Bullock.	Sir Henry Meux & Co.	Richard Selman.
Vacant Ground - -	The same - -	Thomas Griffith, Hugh Bowditch.	
Yard and Shed - -	The same - -	The same - -	Francis Williams.
Two Houses and Factory -	The same - -	Thomas Griffith, James M. Rossiter.	Samuel Taylor and Under-tenants.
Paper-stainer's Factory -	The same - -	John Fitch and Thomas W. Fry, Edward Hennell and William Crosby.	Edward Hennell and William Crosby.
Factory - - -	The same - -	John Fitch and Thomas W. Fry, William Woods, and William Woods jun.	William Woods and William Woods jun.
	Queen Street, North Side.		
Three Houses and Warehouse.	George Richard Corner	Charles Leach, William Broadbent, Thomas Griffith.	Susanna Lloyd, Sarah Berry and others, John Barnes and others.
Public House, The Grapes -	The Rev^{d} John Bullock, the Rev^{d} Christopher George Watson, Elizabeth Lant Watson, and Charles Bullock.	Charles Ellis, Martha Careless, John Water Froggett, James Clark.	James Clark.
Vacant Ground - -	The same.		
	King Street, East Side.		
Two Houses - -	Moses Savory, Thomas Radford, and Ann Radford.	- - -	Henry William Farmer, Mary Newman.
House - - -	Charles David Coe, Henry Rufus Coe, Joseph Smith, and Elizabeth Ann Smith.	- - -	Henry Rufus Coe.
Stable and Yard - -	The Rev^{d} John Bullock, the Rev^{d} Christopher George Watson, Elizabeth Lant Watson, and Charles Bullock.	Thomas Griffith, James M. Rossiter.	Stable empty, William Cutress.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		King Street, West Side.	
Six Houses - -	The Revd John Bullock, the Revd Christopher George Watson, Elizabeth Lant Watson, and Charles Bullock.	Thomas Griffith, Hugh Bowditch.	Dennis Grogan, Edward Good, Henry Seymour, Edward Good, Ann Basing, —— Reynolds.
		Peter Street, South Side.	
Two Houses - -	The same - -	Thomas Griffith -	David George, Susanna Bailey, Sarah Weatherall, and others.
Five Houses - -	The same - -	Thomas Griffith, Hugh Bowditch.	John Kingsbury, One empty, William Barry, Edward Frazer, James Cox, and Lodgers.
		Sanders' Court.	
Eleven Houses, Yards, Pigsties, Sheds, &c.	The same - -	Thomas Griffith, Hugh Bowditch.	Henry Fletcher, —— Barker, William Barnes, Joseph Howard, Christopher Sumner, William Andrews, John Sampson, Michael Bryant, William Murphett, Robert Redford, and others.
		Queen's Court.	
Seven Houses, Stable, and Shed.	The same - -	The same - -	Francis Williams, Henry Turner, John Solloway, John Holliday, Henry Solloway, —— Taylor, Dennis Grogan.
		Lombard Street, West Side.	
Four Houses - -	Harvey Bowen Jones -	William Gatenby -	John Boyle, John Cook, Robert Cheshire, John Galwin Syer.
Two Pieces of vacant Ground.	The Revd John Bullock, the Revd Christopher George Watson, Elizabeth Lant Watson, and Charles Bullock.		
		Peter Street, South Side.	
Three Houses - -	The same - -	William Griffith -	George Brodie, Lawrence Brennan, Timothy Wood.
		Little Guildford Street, East Side.	
House and Bakehouse -	The same - -	Evan Jenkins -	Mark Colstone.
Chapel - - -	The same.		

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